

United States District Court
NORTHERN DISTRICT OF CALIFORNIA

FIRIBA ACHEKZAI; MOHAMMAD HAMID
RAHIMI

SUMMONS IN A CIVIL CASE

CASE NUMBER:

EDL

v.

Condoleeza Rice, Michael Chertoff, Michael
Chang, Robert Mueller III, Michael Mukasey

CV 08

1058

TO: (Name and address of defendant)

Condoleeza Rice, Secretary of State, U.S. Department of State 2201 C St., NW, Washington, D.C. 20520
Robert Mueller, Director of FBI, J. Edgar Hoover Bldg., 935 Pennsylvania Ave. NW, Washington, D.C. 20535
Michael B. Mukasey, Attorney General, U.S. Department of Justice, 950 Pennsylvania Ave., NW,
Washington, D.C. 20530---Michael Chang, Consul General, U.S. Embassy Pakistan, Diplomatic Enclave,
Ramna 5, Islamabad, Pakistan---Michael Chertoff, Secretary of the Department of Homeland Security, U.S.
Department of Homeland Security, Washington, D.C. 20528

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Mary Beth Kaufman, Esq., Law Office of Jill Stanton, 400 Montgomery St., Suite 810, San Francisco, CA
94104

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you,
exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in
the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

Helen L. Almacen

FEB 21 2008

DATE _____

(BY) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE
Name of SERVER		TITLE
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served Personally upon the Defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 40%;"> Executed on _____ <div style="text-align: center;"><i>Date</i></div> </div> <div style="width: 40%;"> _____ <div style="text-align: center;"><i>Signature of Server</i></div> </div> </div> <div style="margin-top: 10px;"> _____ <div style="text-align: center;"><i>Address of Server</i></div> </div>		
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		

JS 44 (Rev. 12/07) (and rev 1-16-08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

I. (a) PLAINTIFFS Firiba Achekzai; Mohammad Hamid Rahimi		DEFENDANTS Secretary of State Condoleezza Rice, Secretary of DHS Michael Chertoff; Consul General, Islamabad, Pakistan, Michael Chang; Director of FBI Robert S. Mueller; Attorney General Michael Mukasey	
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)		County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.	
(c) Attorney's (Firm Name, Address, and Telephone Number) Mary Beth Kaufman, Esq. Law Offices of Jill Stanton, 400 Montgomery Street, Suite 810, San Francisco, CA 94104		Attorneys (If Known) United States Attorneys Office, 450 Golden Gate Avenue, 9th Fl, San Francisco, CA 94102	

EDL

ADR

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)			
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	PTF DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	<input type="checkbox"/> 4 <input type="checkbox"/> 4
<input checked="" type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus—Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 295 All Other Real Property
CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities—Employment <input type="checkbox"/> 446 Amer. w/Disabilities—Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus: <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition				

V. ORIGIN (Place an "X" in One Box Only)						
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 5 U.S.C. 28 U.S.C. Section 1361 (Administrative Procedures Act); 28 U.S.C. Section 1361 (Mandamus Act) Brief description of cause: Allows suit when Plaintiff is aggrieved by agency action or inaction.
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION DEMAND \$ UNDER F.R.C.P. 23	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE"
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IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE AND "X" IN ONE BOX ONLY)	<input checked="" type="checkbox"/> SAN FRANCISCO/OAKLAND	<input type="checkbox"/> SAN JOSE
---	---	-----------------------------------

DATE
2/21/2008

SIGNATURE OF ATTORNEY OF RECORD

Mary Beth Kaufman, Esq. (SBN 228570)
Law Offices of Jill Stanton
400 Montgomery Street, Suite 810
San Francisco, CA 94104
Phone: (415) 392-6161
Fax: (415) 392-8208

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

**FIRIBA ACHEKZAI; MOHAMMAD
HAMID RAHIMI,**

Plaintiffs,

vs.

CONDOLEEZA RICE, Secretary of State;

**MICHAEL CHERTOFF, Secretary,
Department of Homeland Security;**

**MICHAEL CHANG, Consul
General, United States Embassy
Islamabad, Pakistan;**

**ROBERT S. MUELLER III, Director,
Federal Bureau of Investigation;**

MICHAEL MUKASEY, Attorney General,

Defendants.

**COMPLAINT FOR WRIT
IN THE NATURE OF MANDAMUS**

"Immigration Case"

PRELIMINARY STATEMENT

1
2 1. Plaintiffs, FIRIBA ACHEKZAI (“Ms. Achekzai”) and her husband,
3
4 MOHAMMAD HAMID RAHIMI (Mr. Rahimi”) hereby bring this action against the
5 Defendants to compel action on Mr. Rahimi’s immigrant visa application, based on the
6 approved immigrant petition filed by his wife, Ms. Achekzai. The application remains
7 within the jurisdiction of the Defendants, who have improperly withheld action on said
8 application to Plaintiffs’ detriments.
9

PARTIES

10
11
12 2. Plaintiff Firiba Achekzai is a 41-year old naturalized United States citizen.
13 She petitioned to immigrate her husband, Plaintiff Mohammad Hamid Rahimi, as
14 an immediate relatives on March 2, 2005. The petition was approved, and
15 forwarded to the United States embassy in Karachi, Pakistan for processing in
16 September of 2005.
17
18

19 3. Plaintiff Mohammad Hamid Rahimi is a 34-year old native and citizen of
20 Afghanistan. His wife’s petition for him has been approved, a visa is immediately
21 available, and all paperwork and interviews have been completed. Since his final
22 interview, he has been waiting for over two years for a decision to be made on his
23 application.
24
25

26 4. Defendant Condoleeza Rice is sued in her official capacity as Secretary of
27 State of the United States. She is charged with the issuance of visas under the
28

1 Immigration and Nationality Act ("INA").

2 5. Defendant Michael Chertoff is sued in his official capacity as the Secretary
3 of the United States Department of Homeland Security ("DHS"). Secretary
4 Chertoff is responsible for administration and enforcement of the Immigration and
5 Nationality Act and is further authorized to delegate such powers and authority to
6 subordinate employees of DHS. 8 U.S.C. § 1103; 8 C.F.R. 2.1.
7

8
9 6. Defendant Michael Chang is the Consul General of the United States
10 Embassy in Islamabad, Pakistan and he is charged with the authority to adjudicate
11 and make decisions on immigrant visa applications.
12

13 7. Defendant Robert Mueller, III, is the Director of the Federal Bureau of
14 Investigation ("FBI") and is sued in his official capacity, as the person charged
15 with the administration of the FBI and with providing criminal background
16 information, if any, relating to applications for permanent residency.
17
18

19 8. Defendant Michael Mukasey is sued in his official capacity as the Attorney
20 General of the United States Department of Justice, to the extent that he is charged
21 with the administration of the Department of Justice, which includes the FBI, and
22 has responsibility for providing access to criminal history information pursuant to
23 8 U.S.C. §§ 1105(b); 1103(g).
24
25

26 **JURISDICTION**

27 9. Jurisdiction in this case is proper under 28 U.S.C. §§ 1331 and 1361 (federal
28

question jurisdiction) because Plaintiff's claims arise under the laws of the United States. Additionally, this Court may grant injunctive, declaratory, and/or mandamus relief in this action under 5 U.S.C. § 701 et seq. (Administrative Procedures Act), 28 U.S.C. § 1361 (Mandamus Act), 28 U.S.C. § 1651 (All Writs Act), and under 28 U.S.C. § 2201 (Declaratory Judgment Act). Relief is requested pursuant to said statutes.

VENUE

10. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(e) (action against officers of the United States may be brought in any district where "a substantial part of the events or omissions giving rise to the claim occurred" or where "the plaintiff resides"). Ms. Acheczai resides in Elk Grove, California, which is within the Northern District of California.

FACTS

A. The Immigration Process

11. The Immigration and Nationality Act ("INA") provides that a United States citizen may apply to immigrate their parents as "immediate" relatives. INA 201(b)(2)(A)(ii); 8 U.S.C. 1151. There is no cap on the number of visas issued by the Department of State annually for immediate relatives. *Id.* Once a petition for an immediate relative has been approved, it is forwarded to the National Visa Center for further processing of the visa application. The National Visa Center

1 then forwards the application to the appropriate consulate for final processing. The
2 applicant submits to a medical exam and an interview, and a visa is usually issued
3 thereafter within 1-2 months once security clearances have been completed.
4

5 Under 22 C.F.R. § 42.81, “[w]hen a visa application has been properly
6 completed and executed before a consular officer in accordance with the provision
7 of INA and the implementing regulations, the consular officer shall either issue or
8 refuse the visa.” This section of the regulations is entitled “Issuance or refusal
9 mandatory.” 22 C.F.R. § 42.81(b) sets out the “Refusal procedure” for visa
10 applications, which includes informing the applicant of the provision of law or
11 implementing regulation on which the refusal is based.
12
13
14

15 **B. Mr. Rahimi’s Immigrant Visa Application**

16 12. Petitioner Firiba Achekzai petitioned to immigrate her husband,
17 Mohammad Hamid Rahimi on March 2, 2005. Exhibit (“Exh.”) 1 (*I-130 Visa*
18 *Petition and Receipt*). The petition was approved on May 19, 2005. Exh. 2 (*Visa*
19 *Petition Approval*). The National Visa Center requested documentation and fees,
20 all of which were timely submitted. Exh. 3 (*NVC Correspondence Excerpts*). The
21 application was forwarded to the United States consulate in Islamabad, Pakistan
22 for processing on September 22, 2005. Exh. 4 (*NVC Transfer to Consulate*).
23
24
25

26 13. Mr. Rahimi was interviewed in February of 2006. He was told that
27 everything was approved, but that his name check had not cleared, and that he
28

1 should return in 45 to 60 days. Exh. 5 (*Inquiries 2006-2008*). Since that time, Ms.
2 Achekzai has made dozens of inquiries into the status of her husband's application,
3 through her previous attorney and through her Congressional Representatives. *Id.*
4 The replies from the consulate to date that the case is pending "administrative
5 review" as part of the security clearance procedure and that the maximum time can
6 be "indefinite." *Id.*
7

8
9 14. Mr. Rahimi's application has been pending for *over two years* since the
10 date of his interview.
11

12 15. In response to Petitioners' numerous inquiries with the United States
13 Embassy in Islamabad, Petitioners have only been informed that Mr. Rahimi's
14 approval is pending. To date, over two years after his consular interview, Mr.
15 Rahimi is still awaiting a decision on his application for an immigrant visa. At this
16 point, a "security name check" seems to be the only reason for the delay of Mr.
17 Rahimi's application, and he has been told the wait is now "indefinite."
18

19 16. On February 4, 2008, the Department of Homeland Security issued an
20 Interoffice Memorandum entitled "Revised National Security Adjudication and
21 Reporting Requirements." Exh. 6 (*Department of Homeland Security*
22 *Memorandum, HQ 70/23 & 70/28.1*). According to recommendations of the DHS
23 Office of the Inspector General, where the application is otherwise approvable and
24 the FBI name check request has been pending for more than 180 days, the
25
26
27
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1 adjudicator shall approve the application.

2 **CAUSES OF ACTION**

3 **FIRST CAUSE OF ACTION**
4 **(MANDAMUS)**

5
6 18. The allegations contained in paragraphs 1 through 19 are repeated and
7 incorporated herein.

8 19. Mr. Rahimi's immigrant visa application has been pending for several years
9 due to untimely performance of Mr. Rahimi's security checks.

10 20. Pursuant to 28 U.S.C. § 1361, this Court has jurisdiction to compel
11 Defendants to complete necessary background checks and provide the results of
12 those checks to this Court.
13
14

15 **SECOND CAUSE OF ACTION**
16 **(ADMINISTRATIVE PROCEDURE ACT)**

17 21. The allegations contained in paragraphs 1 through 19 are repeated and
18 incorporated herein.

19 22. Plaintiffs have been aggrieved by agency action under the Administrative
20 Procedure Act, 5 U.S.C. §§ 701, *et seq.* Defendants' failure to act in this case is, as
21 a matter of law, arbitrary and not in accordance with the law. Defendants have
22 unreasonably delayed and refused to adjudicate Mr. Rahimi's application for over
23 two years since the final consular interview. Defendants have "unlawfully
24
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1 withheld or unreasonable delayed” agency action in violation of 5 U.S.C. § 706(1),
2 depriving Plaintiffs of the right to the decision on their applications.

3
4 23. Plaintiffs have been damaged by the failure of Defendant to act in
5 accordance with their duties under the law. Plaintiff Firiba Acheczai has been
6 unduly separated from her husband for several years. She has suffered emotional
7 and financial hardship as a result.
8

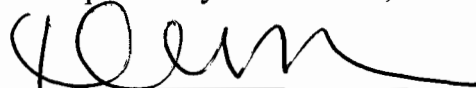
9
10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff prays that this Court grant the following relief:

- 12 (1) Assume jurisdiction over the matter;
13
14 (2) Compel the completion and immediate release of Plaintiff Mohammad
15 Rahimi’s background check results;
16
17 (3) Compel Defendants to expeditiously process Mr. Rahimi’s application
18 for an immigrant visa to conclusion;
19
20 (4) Award Plaintiff his costs and fees pursuant to the Equal Access to
21 Justice Act (EAJA), 28 U.S.C. § 2412; and
22
23 (5) Grant such further relief as the Court deems just and proper.

24 Dated: January 11, 2007

Respectfully Submitted,

25 

26 Mary Beth Kaufman, Esq.
27 Law Offices of Jill Stanton
28 Attorneys for Plaintiffs

EXHIBIT 1



RECEIPT NUMBER WAC-05-106-54109		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE(E), OR ORPHAN
RECEIVED DATE March 2, 2005	PRIORITY DATE	PETITIONER A72 085 341 ACHEKZAI, FIRIBA
NOTICE DATE March 8, 2005	PAGE 1 of 1	BENEFICIARY RAHIMI, MOHAMMAD H.
NADIA FARAH ESQ LAW OFFICES OF NADIA FARAH RE: FIRIBA ACHEKZAI 39159 PASEO PADRE PKWY 211 FREMONT CA 94538		Notice Type: Receipt Notice Amount received: \$ 185.00 Section: Husband or wife of U.S. Citizen, 201(b) INA

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at uscis.gov.
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to www.state.gov/travel <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at www.uscis.gov or contact us at 1-800-375-5283.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



Law Offices of...

Nadia Farah

February 17, 2005

39159 Pasco Padre Pkwy.

Suite 211

Fremont, CA 94538

Tel: 510.494.8156

Fax: 510.494.8158

VIA CERTIFIED MAIL

U.S. Department of Homeland Security
 California Service Center
 P.O. Box 10130
 Laguna Niguel, CA 92607-0130

RE: PETITIONER: FIRIBA ACHEKZAI
BENEFICIARY: MOHAMMAD HAMID RAHIMI

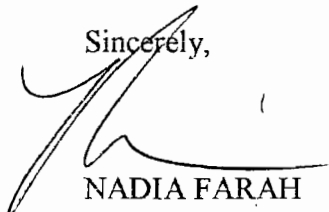
Dear Sir or Madam:

This office represents the above-referenced petitioner with respect to her I-130 petition for her husband. Enclosed please find your form G-28 signed by Ms. Achekzai along with the following documentation:

1. Your Form I-130 (Petition for Alien Relative) signed by Ms. Achekzai.
2. Your Form G-325A (Biographic Information) for Ms. Achekzai.
3. Your Form G-325A (Biographic Information) for Mr. Rahimi.
4. A copy of Ms. Achekzai's Citizenship Certificate and U.S. Passport.
5. A copy of Mr. Rahimi's birth certificate.
6. A translated copy of Mr. Rahimi and Ms. Achekzai's marriage certificate.
7. One (1) photograph of Ms. Achekzai.
8. One (1) photograph of Mr. Rahimi.
9. A check in the amount of \$185.00.

Please process this matter immediately. If you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and anticipated cooperation.

Sincerely,



NADIA FARAH

NF/as

Encl.

7003 0500 0002 9717 3532

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City, State, ZIP+4 LAGUNA NIGUEL, CA 92607-0130

U.S. Department of Justice
Immigration and Naturalization Service

Notice of Entry of Appearance
as Attorney or Representative

Appearances - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. **Availability of Records** - During the time a case is pending, and except as otherwise provided in 8 CFR 103.2 (b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

In re: I-130

Date: 02/08/2005

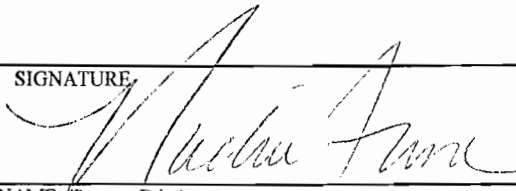
File No. 72 085 341

I hereby enter my appearance as attorney for (or representative of), and at the request of the following named person(s):

Name: FIRIBA ACHEKZAI	<input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address: (Apt. No.) (Number & Street)	(City)	(State) (Zip Code)
6316 Livorno Way	Elk Grove	California 95757
Name:	<input type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address: (Apt. No.) (Number & Street)	(City)	(State) (Zip Code)

Check Applicable Item(s) below:

- ☒ 1. I am an attorney and a member in good standing of the bar of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia
California Supreme Court (154599) and am not under a court or administrative agency order suspending, enjoining, restraining, disbaring, or otherwise restricting me in practicing law.
Name of Court
- ☐ 2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
- ☐ 3. I am associated with _____ the attorney of record previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
- ☐ 4. Others (Explain Fully.)

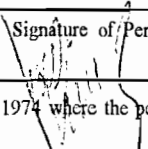
SIGNATURE 	COMPLETE ADDRESS Law Offices of Nadia Farah 39159 Pasco Padre Pkwy. #211 Fremont, California 94538
NAME (Type or Print) Nadia Farah, Esq.	TELEPHONE NUMBER (510) 494-8156

PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:

Nadia Farah, Esq.

(Name of Attorney or Representative)

THE ABOVE CONSENT TO DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:

Name of Person Consenting FIRIBA ACHEKZAI	Signature of Person Consenting 	Date 02/08/2005
--	---	--------------------

(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)

C. Information about your alien relative (continued)

17. List husband/wife and all children of your relative.

(Name)

(Relationship)

(Date of Birth) (Country of Birth)

NONE

18. Address in the United States where your relative intends to live.

(Street Address)

(Town or City)

(State)

6316 Livorno Way

Elk Grove

California

19. Your relative's address abroad. (Include street, city, province and country)

Hashtnagar Travel Ag. 11A, Diljan Plaza, Shnneri Masjid Rd.

Phone Number (if any)

Peshawar

Pakistan

20. If your relative's native alphabet is other than Roman letters, write his or her name and foreign address in the native alphabet.

(Name)

Address (Include street, city, province and country):

21. If filing for your husband/wife, give last address at which you lived together. (Include street, city, province, if any, and country):

From:

To:

(Month) (Year)

(Month) (Year)

22. Complete the information below if your relative is in the United States and will apply for adjustment of status

Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident at the office of the Immigration and Naturalization Service in _____ If your relative is not eligible for adjustment of status, he or she

(City)

(State)

will apply for a visa abroad at the American consular post in Islamabad Pakistan

(City)

(Country)

NOTE: Designation of an American embassy or consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that post. Acceptance is at the discretion of the designated embassy or consulate.

D. Other information

1. If separate petitions are also being submitted for other relatives, give names of each and relationship.

None

2. Have you ever filed a petition for this or any other alien before? ☐ Yes ☒ No

If "Yes," give name, place and date of filing and result.

WARNING: INS investigates claimed relationships and verifies the validity of documents. INS seeks criminal prosecutions when family relationships are falsified to obtain visas.

PENALTIES: By law, you may be imprisoned for not more than five years or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws. In addition, you may be fined up to \$10,000 and imprisoned for up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

YOUR CERTIFICATION: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records which the Immigration and Naturalization Service needs to determine eligibility for the benefit that I am seeking.

E. Signature of petitioner.

Date 02/08/2005

Phone Number (916) 714-9271

F. Signature of person preparing this form, if other than the petitioner.

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name Nadia Farah, Esq.

Signature

Date 02/08/2005

Address Law Offices of Nadia Farah, 39159 Paseo Padre

G-28 ID or VOLAG Number, if any. 154599

U.S. Department of Justice
Immigration and Naturalization Service

OMB No. 1115-0066
BIOGRAPHIC INFORMATION

(Family name)	(First name)	(Middle name)	<input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	BIRTHDATE (Mo.-Day-Yr.)	NATIONALITY	FILE NUMBER
RAHIMI	Mohammad	Hamid		04/10/1973	Afghan	A- None
ALL OTHER NAMES USED (including names by previous marriages)			CITY AND COUNTRY OF BIRTH			SOCIAL SECURITY NO. (If any)
None			Kabul Afghanistan			
FATHER		FAMILY NAME	FIRST NAME	DATE, CITY AND COUNTRY OF BIRTH (if known)	CITY AND COUNTRY OF RESIDENCE	
		RAHIMI	Mohammad	Kabul, Afghanistan	Deceased	
MOTHER (Maiden name)		RAHIMI	Shafiq	02/26/1945 Kabul, Afghanistan	Peshawar, Pakistan	
HUSBAND (If none, so state) OR WIFE		FAMILY NAME (For wife, give maiden name)	FIRST NAME	BIRTHDATE	CITY & COUNTRY OF BIRTH	DATE OF MARRIAGE
		ACHEKZAI	Firiba	04/18/1966	Kabul, Afghanistan	01/07/2005
						Peshawar, Pakistan
FORMER HUSBANDS OR WIVES (if none, so state)		FAMILY NAME (For wife, give maiden name)	FIRST NAME	BIRTHDATE	DATE & PLACE OF MARRIAGE	DATE AND PLACE OF TERMINATION OF MARRIAGE
NONE						

APPLICANT'S RESIDENCE LAST FIVE YEARS. LIST PRESENT ADDRESS FIRST

STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM		TO	
				MONTH	YEAR	MONTH	YEAR
Haftnagar Travel Agency 11A Dilgan Plaza Shumari Masjid Road	Peshawar		Pakistan	Jan.	2005	PRESENT TIME	
House #475, Street #15, K-2, Ph#3, Hayatabad	Peshawar		Pakistan	Jan.	1997	Dec.	2004

APPLICANT'S LAST ADDRESS OUTSIDE THE UNITED STATES OF MORE THAN ONE YEAR

STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM		TO	
				MONTH	YEAR	MONTH	YEAR

APPLICANT'S EMPLOYMENT LAST FIVE YEARS. (IF NONE, SO STATE) LIST PRESENT EMPLOYMENT FIRST

FULL NAME AND ADDRESS OF EMPLOYER	OCCUPATION (SPECIFY)	FROM		TO	
		MONTH	YEAR	MONTH	YEAR
	Student	Jan.	1999	PRESENT TIME	

Show below last occupation abroad if not shown above. (include all information requested above.)

THIS FORM IS SUBMITTED IN CONNECTION WITH APPLICATION FOR:
☐ NATURALIZATION ☐ STATUS AS PERMANENT RESIDENT
☒ OTHER (SPECIFY): I-130

SIGNATURE OF APPLICANT

DATE

Submit all four pages of this form.

If our native alphabet is other than roman letters, write your name in your native alphabet here:

PENALTIES: SEVERE PENALTIES ARE PROVIDED BY LAW FOR KNOWINGLY AND WILLFULLY FALSIFYING OR CONCEALING A MATERIAL FACT.

APPLICANT: BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.

COMPLETE THIS BOX (Family name)	(Given name)	(Middle name)	(Alien registration number)
RAHIMI	Mohammad	Hamid	None



(1) Ident.

F



U.S. Department of Justice
Immigration and Naturalization ServiceOMB No. 1115-0066
BIOGRAPHIC INFORMATION

(Family name) ACHEKZAI	(First name) Firiba	(Middle name)	<input type="checkbox"/> MALE <input checked="" type="checkbox"/> FEMALE	BIRTHDATE (Mo.-Day-Yr.) 04/18/66	NATIONALITY US Citizen	FILE NUMBER A- USC
ALL OTHER NAMES USED (including names by previous marriages) None			CITY AND COUNTRY OF BIRTH Kabul, Afghanistan			SOCIAL SECURITY NO. (If any) 616-60-3596
FATHER FAMILY NAME ACHEKZAI FIRST NAME Assadullah		DATE, CITY AND COUNTRY OF BIRTH (if known) 04/02/20 Kabul, Afghanistan		CITY AND COUNTRY OF RESIDENCE Elk Grove, USA		
MOTHER (Maiden name) FAMILY NAME ACHEKZAI FIRST NAME Halima		DATE, CITY AND COUNTRY OF BIRTH (if known) 05/20/24 Kabul, Afghanistan		CITY AND COUNTRY OF RESIDENCE Elk Grove, USA		
HUSBAND (If none, so state) OR WIFE FAMILY NAME (For wife, give maiden name) RAHIMI		FIRST NAME Mohammad	BIRTHDATE 04/10/73	CITY & COUNTRY OF BIRTH Kabul, Afghanistan	DATE OF MARRIAGE 1/7/05	PLACE OF MARRIAGE Peshawar, Pakistan
FORMER HUSBANDS OR WIVES (if none, so state)						
FAMILY NAME (For wife, give maiden name)	FIRST NAME	BIRTHDATE	DATE & PLACE OF MARRIAGE	DATE AND PLACE OF TERMINATION OF MARRIAGE		
NONE						

APPLICANT'S RESIDENCE LAST FIVE YEARS. LIST PRESENT ADDRESS FIRST

STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM		TO	
				MONTH	YEAR	MONTH	YEAR
6316 Livorno Way	Elk Grove	California	USA	August	2003	PRESENT TIME	
38657 Hastings Street, Apt. #2	Fremont	California	USA	August	1997	August	2003

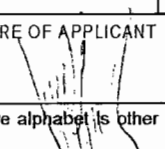
APPLICANT'S LAST ADDRESS OUTSIDE THE UNITED STATES OF MORE THAN ONE YEAR

STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM		TO	
				MONTH	YEAR	MONTH	YEAR

APPLICANT'S EMPLOYMENT LAST FIVE YEARS. (IF NONE, SO STATE) LIST PRESENT EMPLOYMENT FIRST

FULL NAME AND ADDRESS OF EMPLOYER	OCCUPATION (SPECIFY)	FROM		TO	
		MONTH	YEAR	MONTH	YEAR
In-Home Supportive Srv. 4875 Broadway, Sacramento, CA 95820	Care Giver	January	1998	PRESENT TIME	
Smart Modular Technologies, 4211 Starboard Drive, Fremont, California 94538 USA		April	1999	November	2004

Show below last occupation abroad if not shown above. (include all information requested above.)

THIS FORM IS SUBMITTED IN CONNECTION WITH APPLICATION FOR: <input type="checkbox"/> NATURALIZATION <input type="checkbox"/> STATUS AS PERMANENT RESIDENT <input checked="" type="checkbox"/> OTHER (SPECIFY): I-130	SIGNATURE OF APPLICANT 	DATE 02/08/05
Submit all four pages of this form.		If our native alphabet is other than roman letters, write your name in your native alphabet here:

PENALTIES: SEVERE PENALTIES ARE PROVIDED BY LAW FOR KNOWINGLY AND WILLFULLY FALSIFYING OR CONCEALING A MATERIAL FACT.

APPLICANT: BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.

COMPLETE THIS BOX (Family name)	(Given name)	(Middle name)	(Alien registration number)
ACHEKZAI	Firiba		USC



MINISTRY OF HEALTH

KABUL HOSPITAL
KABUL AFGHANISTAN

Child's Name: Mohammad Hamid Rahimi

Child's name		First Mohammad	Middle Hamid	Last Rahimi
Box M	This birth: Single Twins Triplet	It twins or triple (this child born) 1st -- 2nd -- 3rd		Date of birth: 1973
				Hour 3-PM
Father of the child				
Fullname :		First Mohammad	Middle Rahim	Last
Age Year	Birth Place Kabul	Usual occupation Officer		Kind of business or industry Nil
Mother of the child				
Fullname		First Samira	Middle	Last
Age Year	Birth Place Kabul	Usual occupation House Wife		Kind of business or industry Nil
Children Previously born to this mother	How many other children are now living	How many other children were born alive but are now dead.	How many children were born stillbirth	
I hereby certify to the birth of this child, who was born alive on the date and hour stated above				
Signature Dr. Mariam M.D. Date : 1973 Midwife				
For Medical and Health Use, Only - Confidential This Section Must Be Filled Out				
Length of Pregnancy Weeks	Weight of Child at Birth: Gr. 3 -KG Lb.	Mother's name and address for mailing registration and notification:		
State any Complication of pregnancy and labour:				
State any or all operations for delivery:				
Describe any congenital malformation:				
* SIGNATURE * Hospital Administrator				

No. 26082797



OFFICE OF THE COMMISSIONER

NATURALIZATION SERVICE

Personal description of holder
as of date of naturalization:

Date of birth: APRIL 18, 1966

Sex: FEMALE

Height: 5 feet 5 inches

Marital status: SINGLE

Country of former nationality:

AFGHANISTAN



JNS Registration No. A072085341

I certify that the description given is true, and that the photograph affixed
hereto is a likeness of me.

Firiba Achekzai

(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Attorney General

at: SAN FRANCISCO, CALIFORNIA

The Attorney General having found that:

FIRIBA ACHEKZAI

then residing in the United States, intends to reside in the United States when so
required by the Naturalization Laws of the United States, and had in all other
respects complied with the applicable provisions of such naturalization laws and was
entitled to be admitted to citizenship, such person having taken the oath of allegiance
in a ceremony conducted by the

US DISTRICT COURT OF NORTHERN CALIFORNIA

at: SAN FRANCISCO, CALIFORNIA

on:

that such person is admitted as a citizen of the United States of America.

IT IS PUNISHABLE BY U. S. LAW TO COPY,
PRINT OR PHOTOGRAPH THIS CERTIFICATE,
WITHOUT LAWFUL AUTHORITY.

Commissioner of Immigration and Naturalization

EXHIBIT 2



RECEIPT NUMBER WAC-05-106-54109		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE (E), OR ORPHAN
RECEIPT DATE March 7, 2005	PRIORITY DATE March 2, 2005	PETITIONER A72 085 341 ACHEKZAI, FIRIBA
NOTICE DATE May 19, 2005	PAGE 1 of 1	BENEFICIARY RAHIMI, MOHAMMAD H.
NADIA FARAH ESQ LAW OFFICES OF NADIA FARAH RE: FIRIBA ACHEKZAI 39159 PASEO PADRE PKWY 211 FREMONT CA 94538		Notice Type: Approval Notice Section: Husband or wife of U.S. Citizen, 201(b) INA

The above petition has been approved. We have sent the original visa petition to the **Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909**. NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

The NVC will contact the person for whom you are petitioning (beneficiary) concerning further immigrant visa processing steps.

If you have any questions about visa issuance, please contact the NVC directly. However, please allow at least 90 days before calling the NVC if your beneficiary has not received correspondence from the NVC. The telephone number of the NVC is **(603) 334-0700**.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



EXHIBIT 3



U.S. Department of State
National Visa Center
32 Rochester Avenue
Portsmouth, NH 03801 -2909

IMMIGRATION

June 12, 2005

 COMBINED LAWYER IV/AOS FEE

NADIA FARAH
LAW OFFICES
39159 PASEO PADRE PKWY. #211
FREMONT, CA 94538

RE: Immigrant Visa Case of: MOHAMMAD HAMID RAHIMI
ISL2005654051
Petitioner: ACHEKZAI, FIRIBA

Dear Sir/Madam:

The National Visa Center (NVC) has received the immigrant visa case of MOHAMMAD HAMID RAHIMI. Our files show that you are the applicant's Attorney of Record.

We have enclosed the Affidavit of Support fee bill and the Immigrant Visa fee bill(s) that must be paid in advance of receiving the Instructions Packet and Affidavit of Support form for this specific case. You must send:

1. The enclosed **Affidavit of Support Fee Bill** bearing the applicant's case number and barcode; and
2. A cashier's check or money order made payable to the **Department of State** for the appropriate total of processing fee(s) (\$70.00 per case as noted on the Affidavit of Support Fee Bill)
3. The enclosed **Immigrant Visa Fee Bill(s)** bearing the case number and each **traveling** applicant's unique barcode;
4. A cashier's check or money order made payable to the **Department of State** for the appropriate total of Immigrant Visa application fee(s) (per traveling applicant);
5. Send all enclosed **fee bills** and **check(s)** in the return envelope to the following address:

**National Visa Center
PO Box 952201
St. Louis, MO 63195-2201**

Important Notes:

- Send a cashier's check(s) or money order(s) in U.S. dollars drawn on a U.S. bank made payable to the **Department of State** together with the **Affidavit of Support Fee Bill and the Immigrant Visa Fee Bill(s)**.
- Do not send a personal or attorney/firm check(s).
- If you wish to send your payment via an overnight mail courier service, please note that only the U.S. Postal Service provides such delivery service to post office boxes.
- **Do NOT send any payments to the Portsmouth, NH address, as they will be returned.**
- Lawyers can send a single check for related cases.
- Send only the payment and fee bill(s) to the St. Louis, MO address.
- Do not send any other documents to the St. Louis, MO address.
- Do not send any documents to the Portsmouth, NH address **until requested**.

If you wish to add a new spouse or child to this case, please contact the National Visa Center via phone or mail using the contact information below. Do not send a fee payment for an applicant not currently listed on the case, as those fees cannot be accepted.

Upon receipt of the Affidavit of Support fee and ALL of the Immigrant Visa fees, you will receive a packet containing the Immigrant Visa application(s) (Form DS-230 Part I), the Affidavit of Support (I-864) forms and further instructions.

Until we receive all of the Affidavit of Support & Immigrant Visa fee(s) and forms from you, we cannot process your client's case.

If you need **case information**, you may:

- Call the National Visa Center between the hours of 7:30 a.m. and midnight ET, Monday through Friday, at (603) 334-0700;
- Write to the National Visa Center, Attn: WC, 32 Rochester Ave., Portsmouth, NH 03801-2909; or
- Send a Fax to (603) 334-0791, or
- E-mail us at: nvcattorney@state.gov
When you e-mail, please include the following:
 - * case or receipt number as the subject line of the email
 - * beneficiary's and petitioner's name and date of birth
 - * name of the law office requesting the information
 - * company/organizational name if employment based (I-140) inquires

Please reference only **one case per email**.

If you have a **legal question** concerning your client's case, as an attorney, you may submit your question by e-mail to the Visa Office of the Bureau of Consular Affairs at legalnet@state.gov. Always include the applicant's complete name and case number when contacting us.

If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. In this case, fees and documents will need to be resubmitted in order to continue the immigration process.

Sincerely,
Director
National Visa Center

Enclosures:

Affidavit of Support Fee Bill
Immigrant Visa Fee Bill(s)
Other Important Enclosures (if required)

**

**

Affidavit of Support (I-864) Processing Fee Bill

Instructions:

How much to pay:

The Affidavit of Support (I-864) processing fee is **\$70.00 U.S.** per case.*

Exceptions: If you are a U.S. citizen filing a separate Affidavit of Support (I-864) for your spouse and children to immigrate, you only need to submit one \$70.00 fee, which will cover your spouse and children. If you are a U.S. citizen filing a separate Affidavit of Support (I-864) for each of your parents to immigrate, you only need to submit one \$70.00 fee, which will cover both parents. (Please mail all fee bills in **one return envelope with one check on top.)*

What to send:

1. A **cashier's check or money order** in U.S. dollars, drawn on a U.S. bank, made payable to the Department of State with the case number (shown below) written on the front of the check. **Do NOT send cash, a personal or attorney/firm check.**
2. **The Bottom of this Page** (the tearoff of this page is required to avoid delays in processing this case)

DO NOT SEND ANY I-864 FORMS NOW, as they will be sent to you once this fee has been paid. Sending the I-864 form now will cause delays processing your case.

Please note: Fees are non-refundable.

Please fold here, detach, and return the bottom portion with your payment. **(DO NOT DUPLICATE OR PHOTO COPY THIS BILL)**

Please return this portion with a cashier's check or money order in U.S. dollars drawn on a U.S. bank made payable to:
the Department of State

Please note: Fees are non-refundable

Bill date: June 12, 2005
Case Number: ISL2005654051
Visa Classification: CR1

Petitioner's name: ACHEKZAI, FIRIBA

Payment Due: \$70.00

Return payment to (envelope provided):

National Visa Center

P.O. Box 952200

St. Louis, MO 63195-2200

Amount enclosed: \$ 70.00
(Do **NOT** send cash, a personal check or attorney/firm check)



Immigrant Visa Application Processing Fee Bill

(DO NOT DUPLICATE OR PHOTOCOPY THIS BILL)

June 12, 2005

Keep this top portion for your records

IV Fee Bill for: MOHAMMAD HAMID RAHIMI

Amount Due: \$380.00

Case Number: ISL2005654051



When we receive your Immigrant Visa fees, we will send you the Immigrant Visa application (form DS-230 Part I) along with further instructions. Return only the original application that we send to you. Do not use downloaded computer forms.

Instructions: There is one Immigrant Visa Application Processing Fee Bill for each traveling applicant. This fee bill is only for the name listed above.

Do not attempt to add and/or pay for any new applicant(s) with this bill, as they cannot be accepted. Please contact NVC customer service if you need to add applicant(s) to this case.

Please pay the exact amount shown on this fee bill. If you have multiple fee bills in this package, you may combine them into a single check (\$380.00 per traveling applicant).

If this fee bill is not for RAHIMI, MOHAMMAD HAMID (the principal applicant) and you are listed on the petition but not traveling with the principal applicant, you need to provide that information to NVC immediately. Do not pay this fee.

YOU MUST SEND THE FOLLOWING when making payment:

*A cashier's check or money order in U.S. dollars, drawn on a U.S. bank, made payable to the Department of State with the case number written on the front of the check (Do not send cash, a personal or attorney/firm check), and

*All fee bills for traveling applicants (required to process this case) **Fees are not refundable**

An addressed envelope is enclosed for your use. If you have misplaced this envelope, the address to send this fee bill is shown below.

DO NOT SEND ANY DS-230 FORMS NOW, the forms will be sent to you once this fee has been paid. Sending the DS-230 form now will cause delays in processing your case.

If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. If you allow this to happen, fees and documents will need to be resubmitted to continue the immigration process.

Please fold here, detach, and return the bottom portion with your payment. (DO NOT DUPLICATE OR PHOTOCOPY THIS BILL)

Please return this portion with a cashier's check or money order in U.S. dollars drawn on a U.S. bank made payable to: the Department of State

Please note: Fees are non-refundable

Payment coupon for

MOHAMMAD HAMID RAHIMI

Bill date: June 12, 2005

Case Number: ISL2005654051

Visa Classification: CR1



\$335.00 IV Application Processing Fee

\$45.00 IV Security Surcharge

Payment Due: \$380.00

Return payment to (envelope provided):

National Visa Center

P.O. Box 952201

St. Louis, MO 63195-2201

Amount enclosed: \$

380.00

(Do **NOT** send cash, a personal check or attorney/firm check)



ISL2005654051-016331199

Bank of America

Cashier's Check

No. 411520995

Banking
Center

LAGUNA CREEK

0001725 00005 001520995

Date
VOID AFTER 90 DAYS
JUL 01, 2009

FIRST ACHECK241
Remitter (Purchased By)

Pay ***THREE HUNDRED EIGHTY DOLLARS AND 00 CENTS**

\$

***380.00**

05-14-3774B 3-2000

To
The
Order
Of


***DEPARTMENT OF STATES**
CASE # ISL2005654051

Bank of America, N.A.
San Francisco, CA

Authorized Signature

⑈411520995⑈ ⑆121000358⑆ 139708507E⑈

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Bank of America.  Cashier's Check No. 411520994

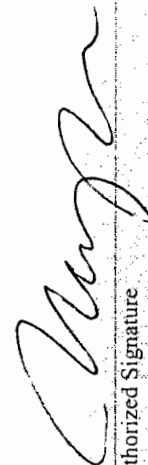
Banking Center LAGUNA CREEK 0001725 00005 001520994

VOID AFTER 90 DAYS
Date JUL 01 2005

FIRBA ACHEKZAI
Remitter (Purchased By)

Pay **SEVENTY DOLLARS AND 00 CENTS** \$ **70.00**

To The Order Of **DEPARTMENT OF STATE**
CASE # ISL2005654051


Authorized Signature

Bank of America, N.A.
San Francisco, CA

⑈ 411520994 ⑈ ⑈ 21000358⑈ 13970⑈ 85076⑈

THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK THE ORIGINAL DOCUMENT HAS REFLECTIVE WATERMARK ON THE BACK

Law Offices of...

Nadia Farah

July 5, 2005

National Visa Center
P.O. Box 952201
St Louis, MO 63195-2201

39159 Pasco Padre Pkwy.
Suite 211
Fremont, CA 94538
Tel: 510.494.8156
Fax: 510.494.8158

RE: PETITIONER: FIRIBA ACHEKZAI
BENEFICIARY: MOHAMMAD HAMID RAHIMI
CASE NUMBER: ISL-2005654051

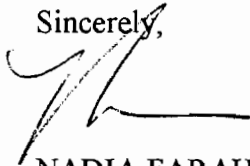
Dear Sir or Madam:

Please be advised that this office represents the above petitioner with respect to her petition for her husband. Enclosed please find the following documentation:

1. Affidavit of Support Fee Bill bearing the applicant's case number and barcode.
2. A cashier's check or money order in the amount of \$70.00 for the Affidavit of Support fee.
3. Immigrant Visa Fee Bill bearing the applicant's case number and unique barcode.
4. A cashier's check or money order in the amount of \$380.00 for the Immigrant Visa Fee.

We believe that this is all the documentation that you requested. Please process this case as soon as possible. Should you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and cooperation.

Sincerely,



NADIA FARAH
NF/as
Encl.



U.S. Department of State
National Visa Center
32 Rochester Avenue
Portsmouth, NH 03801 -2909

IMMIGRATION

July 17, 2005

INSTRUCTION PACKET LAWYER I-130

NADIA FARAH
LAW OFFICES
39159 PASEO PADRE PKWY. #211
FREMONT, CA 94538

RE: Immigrant Visa Case of MOHAMMAD HAMID RAHIMI
ISL2005654051

AFGHANISTAN
Petitioner: ACHEKZAI, FIRIBA

Dear Sir/Madam:

The enclosed information pertains to the immigrant visa case of MOHAMMAD HAMID RAHIMI. Our files show that you are the applicant's Attorney of Record. We have received all of the necessary Immigrant Visa and Affidavit of Support fees for this case.

For each case, you must send a completed Affidavit of Support (I-864). For each traveling applicant, you must send a completed Application for Immigrant Visa (DS-230 Part I) along with the **enclosed sheet** bearing the case number and barcode information in the enclosed envelope to:

**National Visa Center
ATTN: CMR
32 Rochester Avenue
Portsmouth, NH 03801-2909**

Your case number must be clearly written in the upper right hand corner of ALL documents. Failure to write your case number on all documents will cause a delay in processing.

This is a family-based visa case. The Petitioner, (ACHEKZAI, FIRIBA), must complete an Affidavit of Support (I-864) form for each visa applicant. We have already sent you or the petitioner a letter with instructions about the I-864 form.

If you have a legal question concerning your client's case, as an attorney, you may submit your question by e-mail to the Visa Office of the Bureau of Consular Affairs at **legalnet@state.gov**. Always include the applicant's complete name and case number when contacting us.

If you need additional information, you may:

- Call the National Visa Center between the hours of 7:30 a.m. and midnight ET, Monday through Friday, at (603) 334-0700;
- Write to the National Visa Center, Attn: WC, 32 Rochester Ave., Portsmouth, NH 03801-2909; or
- Send a Fax to (603) 334-0791, or
- E-mail us at: nvcattorney@state.gov

When you e-mail, please include the following:

- * case or receipt number as the subject line of the email
- * beneficiary's and petitioner's name and date of birth
- * name of the law office requesting the information
- * company/organizational name if employment based (I-140) inquires

Please reference **only one case per e-mail**.

If a period of one year passes without contacting NVC (by telephone or mail), all submitted fees and documents will expire. In this case, fees and documents will need to be resubmitted in order to continue the immigration process.

When communicating with the National Visa Center, either by telephone or by letter, the applicant, his agent, or attorney must **ALWAYS** refer to the applicant's name and case number exactly as they appear below:

Name of Visa Applicant: MOHAMMAD HAMID RAHIMI
Case Number: ISL2005654051

Sincerely,

Director
National Visa Center

Enclosures:

DS-230 Part I
Affidavit of Support (I-864) and Instructions
Instructions for Immigrant Visa Applicants
Barcode Sheet
Other Important Enclosures (if required)

National Visa Center
BARCODE SHEET

You **MUST RETURN THIS PAGE** with the
completed DS-230 Part I, supporting documents
and **I-864, if applicable** to:

National Visa Center
ATTN: CMR
32 Rochester Avenue
Portsmouth, NH 03801-2909

- * Failure to **return this page** will delay the processing of your case.
- * Please attach this **Barcode Sheet** to the front of your documents for **this case only**.
- * If you are sending information for other cases in the same envelope, you **must** attach the appropriate **Barcode Sheet** to the top of the documents for each individual case included.

ISL2005654051

CR1



Law Offices of...

Nadia Farah

August 8, 2005

39159 Paseo Padre Pkwy.
Suite 211
Fremont, CA 94538
Tel: 510.494.8156
Fax: 510.494.8158

National Visa Center
ATTN: CMR
32 Rochester Avenue
Portsmouth, NH 03801-2909

RE: PETITIONER: FIRIBA ACHEKZAI
BENEFICIARY: MOHAMMAD HAMID RAHIMI
CASE NUMBER: ISL2005654051

Dear Sir or Madam:

We are in receipt of your request for documentation dated July 17, 2005. Enclosed please find the following documentation:

1. Your Form DS-230 Part I (Biographic Data) signed by Mr. Rahimi.
2. Your Form DS-230 Part II (Sworn Statement) for Mr. Rahimi.
3. Your Form I-864 (Affidavit of Support) for Mr. Rahimi notarized on behalf of Ms. Achekzai.
4. Authorization for Release of Federal Tax Data signed by Ms. Achekzai.
5. A copy of Ms. Achekzai's last three years of Income Tax Returns for 2004, 2003, and 2002 plus W-2 forms.
6. Proof of citizenship for Ms. Achekzai.
7. Two (2) employment verification letters for Ms. Achekzai.

We believe that this is all the documentation that you requested. Please process this case as soon as possible. Should you have any questions, please do not hesitate to contact our office. Thank you for your courtesy and cooperation.

Sincerely,


NADIA FARAH

NF/as
Encl.



U.S. Department of State

OMB APPROVAL NO. 1405-0015
EXPIRES: 07/31/2007
ESTIMATED BURDEN: 1 HOUR*
(See Page 2)

APPLICATION FOR IMMIGRANT VISA AND ALIEN REGISTRATION

PART I - BIOGRAPHIC DATA

INSTRUCTIONS: Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are **Not Applicable** with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form.

WARNING: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States. This form (DS-230 PART I) is the first of two parts. This part, together with Form DS-230 PART II, constitutes the complete Application for Immigrant Visa and Alien Registration.

1. Family Name RAHIMI		First Name Mohammad		Middle Name Hamid	
2. Other Names Used or Aliases (If married woman, give maiden name) None					
3. Full Name in Native Alphabet (If Roman letters not used) محمد رحيمي					
4. Date of Birth (mm-dd-yyyy) 04/10/1973	5. Age 32	6. Place of Birth (City or town) (Province) (Country) Kabul Afghanistan			
7. Nationality (If dual national, give both) Afghan	8. Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	9. Marital Status <input type="checkbox"/> Single (Never married) <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/> Separated Including my present marriage, I have been married 1 times.			
10. Permanent address in the United States where you intend to live, if known (street address including zip code). Include the name of a person who currently lives there. FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove, CA 95757 Telephone number: (916) 714-9271		11. Address in the United States where you want your Permanent Resident Card (Green Card) mailed, if different from address in item #10 (include the name of a person who currently lives there). FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove, CA 95757 Telephone number: (916) 714-9271 or 510-209-8551			
12. Your Present Occupation Student		13. Present Address (Street Address) (City or Town) (Province) (Country) C/O: Hashthagar Travel Agency 11A Diljan Plaza Suhneri Masjid Road, Peshawar, Pakistan Telephone number: Home 91 828036 Office			
14. Name of Spouse (Maiden or family name) ACHEKZAI Date (mm-dd-yyyy) and place of birth of spouse: 4/18/1966 Kabul, Afghanistan Address of spouse (If different from your own): 6316 Livorno Way Elk Grove, CA 95757 Spouse's occupation: Care-Giver		First Name Firiba Middle Name 01/07/2005			
15. Father's Family Name AKRAMZADA		First Name Mohammad		Middle Name Rahim	
16. Father's Date of Birth (mm-dd-yyyy) 1/5/1939	Place of Birth Kabul, Afghanistan	Current Address N/A		If deceased, give year of death 2002	
17. Mother's Family Name at Birth AKRAMZADA		First Name Shafiga		Middle Name Majeed	
18. Mother's Date of Birth (mm-dd-yyyy) 2/26/1945	Place of Birth Kabul, Afghanistan	Current Address Peshawar, Pakistan		If deceased, give year of death	

19. List Names, Dates and Places of Birth, and addresses of ALL Children.				
NAME	DATE (mm-dd-yyyy)	PLACE OF BIRTH	ADDRESS (If different from your own)	
N/A				

20. List below all places you have lived for at least six months since reaching the age of 16, including places in your country of nationality. Begin with your present residence.			
CITY OR TOWN	PROVINCE	COUNTRY	FROM/TO (mm-yyyy)
Peshawar		Pakistan	01/1992-Present
Kabul		Afghanistan	04/1973-01/1992

21a. Person(s) named in 14 and 19 who will accompany you to the United States now.
N/A

21b. Person(s) named in 14 and 19 who will follow you to the United States at a later date.
N/A

22. List below all employment for the last ten years.			
EMPLOYER	LOCATION	JOB TITLE	FROM/TO (mm-yyyy)
None			

In what occupation do you intend to work in the United States? Unknown

23. List below all educational institutions attended.			
SCHOOL AND LOCATION	FROM/TO (mm-yyyy)	COURSE OF STUDY	DEGREE OR DIPLOMA
Challenger	2002-Present	English	None
Lasai Ansari, Kabul, Afghanistan	1976-1987	High School	GED

Languages spoken or read: Farsi, Pashtu, English, Urdu

Professional associations to which you belong: None

24. Previous Military Service ☐ Yes ☒ No

Branch: _____ Dates (mm-dd-yyyy) of Service: _____

Rank/Position: _____ Military Speciality/Occupation: _____

25. List dates of all previous visits to or residence in the United States. (If never, write "never") Give type of visa status, if known. Give DHS "A" number if any.			
FROM/TO (mm-yyyy)	LOCATION	TYPE OF VISA	"A" NO. (If known)
Never			

SIGNATURE OF APPLICANT 	DATE (mm-dd-yyyy) 7/28/2005
--	--------------------------------

Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit this form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant, the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. In accordance with 5 CFR 1320 5(b), persons are not required to respond to the collection of this information unless this form displays a currently valid OMB control number. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: U.S. Department of State (A/RPS/DIR) Washington, DC 20520.



U.S. Department of State
**APPLICATION FOR IMMIGRANT VISA AND
 ALIEN REGISTRATION**

OMB APPROVAL NO. 1405-0015
 EXPIRES: 07/31/2007
 ESTIMATED BURDEN: 1 HOUR*

PART II - SWORN STATEMENT

INSTRUCTIONS: Complete one copy of this form for yourself and each member of your family, regardless of age, who will immigrate with you. Please print or type your answers to all questions. Mark questions that are **Not Applicable** with "N/A". If there is insufficient room on the form, answer on a separate sheet using the same numbers that appear on the form. Attach any additional sheets to this form. The fee should be paid in United States dollars or local currency equivalent or by bank draft.

WARNING: Any false statement or concealment of a material fact may result in your permanent exclusion from the United States. Even if you are issued an immigrant visa and are subsequently admitted to the United States, providing false information on this form could be grounds for your prosecution and/or deportation.

This form (DS-230 PART II), together with Form DS-230 PART I, constitutes the complete Application for Immigrant Visa and Alien Registration.

26. Family Name	First Name	Middle Name
RAHIMI	Mohammad	Hamid
27. Other Names Used or Aliases (If married woman, give maiden name)		
None		
28. Full Name in Native Alphabet (If Roman letters not used)		
29. Name and Address of Petitioner		
FIRIBA ACHEKZAI 6316 Livorno Way Elk Grove CA 95757		
Telephone number: (916) 714-9271		
30. United States laws governing the issuance of visas require each applicant to state whether or not he or she is a member of any class of individuals excluded from admission into the United States. The excludable classes are described below in general terms. You should read carefully the following list and answer YES or NO to each category. The answers you give will assist the consular officer to reach a decision on your eligibility to receive a visa.		
EXCEPT AS OTHERWISE PROVIDED BY LAW, ALIENS WITHIN THE FOLLOWING CLASSIFICATIONS ARE INELIGIBLE TO RECEIVE A VISA. DO ANY OF THE FOLLOWING CLASSES APPLY TO YOU?		
a. An alien who has a communicable disease of public health significance; who has failed to present documentation of having received vaccinations in accordance with U.S. law; who has or has had a physical or mental disorder that poses or is likely to pose a threat to the safety or welfare of the alien or others; or who is a drug abuser or addict.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. An alien convicted of, or who admits having committed, a crime involving moral turpitude or violation of any law relating to a controlled substance or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities in the past five years; who has been convicted of 2 or more offenses for which the aggregate sentences were 5 years or more; who is coming to the United States to engage in prostitution or commercialized vice or who has engaged in prostitution or procuring within the past 10 years; who is or has been an illicit trafficker in any controlled substance; who has committed a serious criminal offense in the United States and who has asserted immunity from prosecution; who, while serving as a foreign government official and within the previous 24-month period, was responsible for or directly carried out particularly severe violations of religious freedom; or whom the President has identified as a person who plays a significant role in a severe form of trafficking in persons, who otherwise has knowingly aided, abetted, assisted or colluded with such a trafficker in severe forms of trafficking in persons, or who is the spouse, son or daughter of such a trafficker who knowingly has benefited from the trafficking activities within the past five years.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
c. An alien who seeks to enter the United States to engage in espionage, sabotage, export control violations, terrorist activities, the overthrow of the Government of the United States or other unlawful activity; who is a member of or affiliated with the Communist or other totalitarian party; who participated in Nazi persecutions or genocide; who has engaged in genocide; or who is a member or representative of a terrorist organization as currently designated by the U.S. Secretary of State.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
d. An alien who is likely to become a public charge.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
e. An alien who seeks to enter for the purpose of performing skilled or unskilled labor who has not been certified by the Secretary of Labor; who is a graduate of a foreign medical school seeking to perform medical services who has not passed the NBME exam or its equivalent; or who is a health care worker seeking to perform such work without a certificate from the CGFNS or from an equivalent approved independent credentialing organization.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
f. An alien who failed to attend a hearing on deportation or inadmissibility within the last 5 years; who seeks or has sought a visa, entry into the United States, or any immigration benefit by fraud or misrepresentation; who knowingly assisted any other alien to enter or try to enter the United States in violation of law; who, after November 30, 1996, attended in student (F) visa status a U.S. public elementary school or who attended a U.S. public secondary school without reimbursing the school; or who is subject to a civil penalty under INA 274C.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Privacy Act and Paperwork Reduction Act Statements

The information asked for on this form is requested pursuant to Section 222 of the Immigration and Nationality Act. The U.S. Department of State uses the facts you provide on this form primarily to determine your classification and eligibility for a U.S. immigrant visa. Individuals who fail to submit this form or who do not provide all the requested information may be denied a U.S. immigrant visa. If you are issued an immigrant visa and are subsequently admitted to the United States as an immigrant the Department of Homeland Security will use the information on this form to issue you a Permanent Resident Card, and, if you so indicate, the Social Security Administration will use the information to issue you a social security number and card.

*Public reporting burden for this collection of information is estimated to average 1 hour per response, including time required for searching existing data sources, gathering the necessary data, providing the information required, and reviewing the final collection. In accordance with 5 CFR 1.320 5(b), persons are not required to respond to the collection of this information unless this form displays a currently valid OMB control number. Send comments on the accuracy of this estimate of the burden and recommendations for reducing it to: U.S. Department of State (A/RPS/DIR) Washington, DC 20520.

- g. An alien who is permanently ineligible for U.S. citizenship; or who departed the United States to evade military service in time of war. ☐ Yes ☒ No
- h. An alien who was previously ordered removed within the last 5 years or ordered removed a second time within the last 20 years; who was previously unlawfully present and ordered removed within the last 10 years or ordered removed a second time within the last 20 years; who was convicted of an aggravated felony and ordered removed; who was previously unlawfully present in the United States for more than 180 days but less than one year who voluntarily departed within the last 3 years; or who was unlawfully present for more than one year or an aggregate of one year within the last 10 years. ☐ Yes ☒ No
- i. An alien who is coming to the United States to practice polygamy; who withholds custody of a U.S. citizen child outside the United States from a person granted legal custody by a U.S. court or intentionally assists another person to do so; who has voted in the United States in violation of any law or regulation; or who renounced U.S. citizenship to avoid taxation. ☐ Yes ☒ No
- j. An alien who is a former exchange visitor who has not fulfilled the 2-year foreign residence requirement. ☐ Yes ☒ No
- k. An alien determined by the Attorney General to have knowingly made a frivolous application for asylum. ☐ Yes ☒ No
- l. An alien who has ordered, carried out or materially assisted in extrajudicial and political killings and other acts of violence against the Haitian people; who has directly or indirectly assisted or supported any of the groups in Colombia known as FARC, ELN, or AUC; who through abuse of a governmental or political position has converted for personal gain, confiscated or expropriated property in Cuba, a claim to which is owned by a national of the United States, has trafficked in such property or has been complicit in such conversion, has committed similar acts in another country, or is the spouse, minor child or agent of an alien who has committed such acts; who has been directly involved in the establishment or enforcement of population controls forcing a woman to undergo an abortion against her free choice or a man or a woman to undergo sterilization against his or her free choice; or who has disclosed or trafficked in confidential U.S. business information obtained in connection with U.S. participation in the Chemical Weapons Convention or is the spouse, minor child or agent of such a person. ☐ Yes ☒ No

31. Have you ever been charged, arrested or convicted of any offense or crime?
(If answer is Yes, please explain) ☐ Yes ☒ No

32. Have you ever been refused admission to the United States at a port-of-entry?
(If answer is Yes, please explain) ☐ Yes ☒ No

33a. Have you ever applied for a Social Security Number (SSN)?

☐ Yes Give the number _____ ☒ No

Do you want the Social Security Administration to assign you an SSN (and issue a card) or issue you a new card (if you have an SSN)? You must answer "Yes" to this question and to the "Consent To Disclosure" in order to receive an SSN and/or card.

☒ Yes ☐ No

33b. **CONSENT TO DISCLOSURE:** I authorize disclosure of information from this form to the Department of Homeland Security (DHS), the Social Security Administration (SSA), such other U.S. Government agencies as may be required for the purpose of assigning me an SSN and issuing me a Social Security card, and I authorize the SSA to share my SSN with the INS.

☒ Yes ☐ No

The applicant's response does not limit or restrict the Government's ability to obtain his or her SSN, or other information on this form, for enforcement or other purposes as authorized by law.

34. WERE YOU ASSISTED IN COMPLETING THIS APPLICATION? ☒ Yes ☐ No

(if answer is Yes, give name and address of person assisting you, indicating whether relative, friend, travel agent, attorney, or other)

Nadia Farah, Esq., 39159 Paseo Padre Pkwy. #211 Fremont, California 94538, Attorney

DO NOT WRITE BELOW THE FOLLOWING LINE
The consular officer will assist you in answering item 35.
DO NOT SIGN this form until instructed to do so by the consular officer

35. I claim to be.

- ☐ A Family-Sponsored Immigrant
☐ An Employment-Based Immigrant
☐ A Diversity Immigrant
☐ A Special Category (Specify) _____

☐ I derive foreign state chargeability under Sec. 202(b) through my _____

☐ Preference: _____

☐ Numerical limitation: _____
(foreign state)

(Returning resident, Hong Kong, Tibetan, Private Legislation, etc.)

I understand that I am required to surrender my visa to the United States Immigration Officer at the place where I apply to enter the United States, and that the possession of a visa does not entitle me to enter the United States if at that time I am found to be inadmissible under the immigration laws.

I understand that any willfully false or misleading statement or willful concealment of a material fact made by me herein may subject me to permanent exclusion from the United States and, if I am admitted to the United States, may subject me to criminal prosecution and/or deportation.

I, the undersigned applicant for a United States immigrant visa, do solemnly swear (or affirm) that all statements which appear in this application, consisting of Form DS-230 Part I and Part II combined, have been made by me, including the answers to items 1 through 35 inclusive, and that they are true and complete to the best of my knowledge and belief. I do further swear (or affirm) that, if admitted into the United States, I will not engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of the United States; in activities which would be prohibited by the laws of the United States relating to espionage, sabotage, public disorder, or in other activities subversive to the national security; in any activity a purpose of which is the opposition to or the control, or overthrow of, the Government of the United States, by force, violence, or other unconstitutional means.

I understand that completion of this form by persons required by law to register with the Selective Service System (males 18 through 25 years of age) constitutes such registration in accordance with the Military Selective Service Act.

I understand all the foregoing statements, having asked for and obtained an explanation on every point which was not clear to me.

Signature of Applicant

Subscribed and sworn to before me this _____ day of _____ at: _____

Consular Officer

Affidavit of Support Under Section
213A of the Act

Part 1. Information on Sponsor (You)

FOR AGENCY USE ONLY

This Affidavit | Receipt

[] Meets

[] Does not meet

Requirements of Section 213A

Officer or I.J.
Signature

Location

Date _____

I am filing this affidavit of support because (check one):

- a. ☒ I filed/am filing the alien relative petition. Spouse / husband
- b. ☐ I filed/am filing an alien worker petition on behalf of the intending immigrant, who is related to me as my _____ (relationship)
- c. ☐ I have ownership interest of at least 5% _____ (name of entity which filed visa petition) which filed an alien worker petition on behalf of the intending immigrant, who is related to me as my _____ (relationship)
- d. ☐ I am a joint sponsor willing to accept the legal obligations with any other sponsor(s).

Last Name <i>Rahimi</i>		First Name <i>Mohammad</i>		Middle Name <i>Hamid</i>	
Date of Birth (Month, Day, Year) <i>4/10/73</i>		Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		Social Security Number (If any)	
Country of Citizenship <i>Afghanistan</i>			A-Number (If any)		
Current Address (Street Number and Name) <i>10 Hashtnagar Travel Agency IIA Diljan Plaza Suhneri Masjid Rd Peshawar</i>			Apt/Suite Number		City
State/Province		Country <i>Pakistan</i>		ZIP/Postal Code	
Telephone Number					

List any spouse and/or children immigrating with the immigrant named above in this Part: *(Use additional sheet of paper if necessary.)*

[illegible]

Part 4. Eligibility to Sponsor

To be a sponsor you must be a U.S. citizen or national or a lawful permanent resident. If you are not the petitioning relative, you must provide proof of status. To prove status, U.S. citizens or nationals must attach a copy of a document proving status, such as a U.S. passport, birth certificate, or certificate of naturalization, and lawful permanent residents must attach a copy of both sides of their Permanent Resident Card (Form I-551).

The determination of your eligibility to sponsor an immigrant will be based on an evaluation of your demonstrated ability to maintain an annual income at or above 125 percent of the Federal poverty line (100 percent if you are a petitioner sponsoring your spouse or child and you are on active duty in the U.S. Armed Forces). The assessment of your ability to maintain an adequate income will include your current employment, household size, and household income as shown on the Federal income tax returns for the 3 most recent tax years. Assets that are readily converted to cash and that can be made available for the support of sponsored immigrants if necessary, including any such assets of the immigrant(s) you are sponsoring, may also be considered.

The greatest weight in determining eligibility will be placed on current employment and household income. If a petitioner is unable to demonstrate ability to meet the stated income and asset requirements, a joint sponsor who *can* meet the income and asset requirements is needed. Failure to provide adequate evidence of income and/or assets or an affidavit of support completed by a joint sponsor will result in denial of the immigrant's application for an immigrant visa or adjustment to permanent resident status.

A. Sponsor's Employment

- I am: 1. ☒ Employed by Volt Services Group (Provide evidence of employment)
Annual salary \$ 14,000 - or hourly wage \$ 9.00 (for 40 hours per week) with overtime
2. ☐ Self employed _____ (Name of business)
Nature of employment or business _____
3. ☐ Unemployed or retired since _____

2nd I HSS \$3,600 annual or hourly wage \$ 9.50

B. Sponsor's Household Size

- Number of persons (related to you by birth, marriage, or adoption) living in your residence, including yourself (Do NOT include persons being sponsored in this affidavit.)
- Number of immigrants being sponsored in this affidavit (Include all persons in Part 3.)
- Number of immigrants NOT living in your household whom you are obligated to support under a previously signed Form I-864.
- Number of persons who are otherwise dependent on you, as claimed in your tax return for the most recent tax year.
- Total household size. (Add lines 1 through 4.)

Number

1

1

Total

2

List persons below who are included in lines 1 or 3 for whom you previously have submitted INS Form I-864, if your support obligation has not terminated.

(If additional space is needed, use additional paper)

Name	A-Number	Date Affidavit of Support Signed	Relationship

Part 4. Eligibility to Sponsor (Continued)

C. Sponsor's Annual Household Income

Enter total unadjusted income from your Federal income tax return for the most recent tax year below. If you last filed a joint income tax return but are using only your own income to qualify, list total earnings from your W-2 Forms, or, if necessary to reach the required income for your household size, include income from other sources listed on your tax return. If your individual income does not meet the income requirement for your household size, you may also list total income for anyone related to you by birth, marriage, or adoption currently living with you in your residence if they have lived in your residence for the previous 6 months, or any person shown as a dependent on your Federal income tax return for the most recent tax year, even if not living in the household. For their income to be considered, household members or dependents must be willing to make their income available for support of the sponsored immigrant(s) and to complete and sign Form I-864A, Contract Between Sponsor and Household Member. A sponsored immigrant/household member only need complete Form I-864A if his or her income will be used to determine your ability to support a spouse and/or children immigrating with him or her.

You must attach evidence of current employment and copies of income tax returns as filed with the IRS for the most recent 3 tax years, for yourself and all persons whose income is listed below. See "Required Evidence" in Instructions. Income from all 3 years will be considered in determining your ability to support the immigrant(s) you are sponsoring.

- ☒ I filed a single/separate tax return for the most recent tax year.
☐ I filed a joint return for the most recent tax year which includes only my own income.
☐ I filed a joint return for the most recent tax year which includes income for my spouse and myself.
☐ I am submitting documentation of my individual income (Forms W-2 and 1099).
☐ I am qualifying using my spouse's income; my spouse is submitting a Form I-864A.

Indicate most recent tax year

2004

(tax year)

Sponsor's individual income

\$ 25,151

or

Sponsor and spouse's combined income
 (If spouse's income is to be considered, spouse must submit Form I-864A.)

\$

Income of other qualifying persons.
 (List names; include spouse if applicable.
 Each person must complete Form I-864A.)

\$

\$

\$

Total Household Income

\$ 25,151

Explain on separate sheet of paper if you or any of the above listed individuals were not required to file Federal income tax returns for the most recent 3 years, or if other explanation of income, employment, or evidence is necessary.

D. Determination of Eligibility Based on Income

1. ☒ I am subject to the 125 percent of poverty line requirement for sponsors.
☐ I am subject to the 100 percent of poverty line requirement for sponsors on active duty in the U.S. Armed Forces sponsoring their spouse or child.
 2. Sponsor's total household size, from Part 4.B., line 5 2
 3. Minimum income requirement from the Poverty Guidelines chart for the year of 2005 is \$ 16,038 (year) for this household size.

If you are currently employed and your household income for your household size is equal to or greater than the applicable poverty line requirement (from line D.3.), you do not need to list assets (Parts 4.E. and 5) or have a joint sponsor (Part 6) unless you are requested to do so by a Consular or Immigration Officer. You may skip to Part 7, Use of the Affidavit of Support to Overcome Public Charge Ground of Admissibility. Otherwise, you should continue with Part 4.E.

Part 4. Eligibility to Sponsor (Continued)**E. Sponsor's Assets and Liabilities**

Your assets and those of your qualifying household members and dependents may be used to demonstrate ability to maintain an income at or above 125 percent (or 100 percent, if applicable) of the poverty line *if* they are available for the support of the sponsored immigrant(s) and can readily be converted into cash within 1 year. The household member, other than the immigrant(s) you are sponsoring, must complete and sign Form I-864A, Contract Between Sponsor and Household Member. List the cash value of each asset *after* any debts or liens are subtracted. Supporting evidence must be attached to establish location, ownership, date of acquisition, and value of each asset listed, including any liens and liabilities related to each asset listed. See "Evidence of Assets" in Instructions.

Type of Asset	Cash Value of Assets (Subtract any debts)
Savings deposits	\$ 0
Stocks, bonds, certificates of deposit	\$ 0
Life insurance cash value	\$ 0
Real estate	\$ 480,000.00
Other (specify)	\$ 50,000.00
Total Cash Value of Assets	\$ 530,000.00

Part 5. Immigrant's Assets and Offsetting Liabilities

The sponsored immigrant's assets may also be used in support of your ability to maintain income at or above 125 percent of the poverty line *if* the assets are or will be available in the United States for the support of the sponsored immigrant(s) and can readily be converted into cash within 1 year.

The sponsored immigrant should provide information on his or her assets in a format similar to part 4.E. above. Supporting evidence must be attached to establish location, ownership, and value of each asset listed, including any liens and liabilities for each asset listed. See "Evidence of Assets" in Instructions.

Part 6. Joint Sponsors

If household income and assets do not meet the appropriate poverty line for your household size, a joint sponsor is required. There may be more than one joint sponsor; but each joint sponsor must individually meet the 125 percent of poverty line requirement based on his or her household income and/or assets, including any assets of the sponsored immigrant. By submitting a separate Affidavit of Support under Section 213A of the Act (Form I-864), a joint sponsor accepts joint responsibility with the petitioner for the sponsored immigrant(s) until they become U.S. citizens, can be credited with 40 quarters of work, leave the United States permanently, or die.

Part 7. Use of the Affidavit of Support to Overcome Public Charge Ground of Inadmissibility

Section 212(a)(4)(C) of the Immigration and Nationality Act provides that an alien seeking permanent residence as an immediate relative (including an orphan), as a family-sponsored immigrant, or as an alien who will accompany or follow to join another alien is considered to be likely to become a public charge and is inadmissible to the United States unless a sponsor submits a legally enforceable affidavit of support on behalf of the alien. Section 212(a)(4)(D) imposes the same requirement on an employment-based immigrant, and those aliens who accompany or follow to join the employment-based immigrant, if the employment-based immigrant will be employed by a relative, or by a firm in which a relative owns a significant interest. Separate affidavits of support are required for family members at the time they immigrate if they are not included on this affidavit of support or do not apply for an immigrant visa or adjustment of status within 6 months of the date this affidavit of support is originally signed. The sponsor must provide the sponsored immigrant(s) whatever support is necessary to maintain them at an income that is at least 125 percent of the Federal poverty guidelines.

I submit this affidavit of support in consideration of the sponsored immigrant(s) not being found inadmissible to the United States under section 212(a)(4)(C) (or 212(a)(4)(D) for an employment-based immigrant) and to enable the sponsored immigrant(s) to overcome this ground of inadmissibility. I agree to provide the sponsored immigrant(s) whatever support is necessary to maintain the sponsored immigrant(s) at an income that is at least 125 percent of the Federal poverty guidelines. I understand that my obligation will continue until my death or the sponsored immigrant(s) have become U. S. citizens, can be credited with 40 quarters of work, depart the United States permanently, or die.

Part 7. Use of the Affidavit of Support to Overcome Public Charge Grounds

(Continued)

Notice of Change of Address.

Sponsors are required to provide written notice of any change of address within 30 days of the change in address until the sponsored immigrant(s) have become U.S. citizens, can be credited with 40 quarters of work, depart the United States permanently, or die. To comply with this requirement, the sponsor must complete INS Form I-865. Failure to give this notice may subject the sponsor to the civil penalty established under section 213A(d)(2) which ranges from \$250 to \$2,000, unless the failure to report occurred with the knowledge that the sponsored immigrant(s) had received means-tested public benefits, in which case the penalty ranges from \$2,000 to \$5,000.

If my address changes for any reason before my obligations under this affidavit of support terminate, I will complete and file INS Form I-865, Sponsor's Notice of Change of Address, within 30 days of the change of address. I understand that failure to give this notice may subject me to civil penalties.

Means-tested Public Benefit Prohibitions and Exceptions.

Under section 403(a) of Public Law 104-193 (Welfare Reform Act), aliens lawfully admitted for permanent residence in the United States, with certain exceptions, are ineligible for most Federally-funded means-tested public benefits during their first 5 years in the United States. This provision does not apply to public benefits specified in section 403(c) of the Welfare Reform Act or to State public benefits, including emergency Medicaid; short-term, non-cash emergency relief; services provided under the National School Lunch and Child Nutrition Acts; immunizations and testing and treatment for communicable diseases; student assistance under the Higher Education Act and the Public Health Service Act; certain forms of foster-care or adoption assistance under the Social Security Act; Head Start programs; means-tested programs under the Elementary and Secondary Education Act; and Job Training Partnership Act programs.

Consideration of Sponsor's Income in Determining Eligibility for Benefits.

If a permanent resident alien is no longer statutorily barred from a Federally-funded means-tested public benefit program and applies for such a benefit, the income and resources of the sponsor and the sponsor's spouse will be considered (or deemed) to be the income and resources of the sponsored immigrant in determining the immigrant's eligibility for Federal means-tested public benefits. Any State or local government may also choose to consider (or deem) the income and resources of the sponsor and the sponsor's spouse to be the income and resources of the immigrant for the purposes of determining eligibility for their means-tested public benefits. The attribution of the income and resources of the sponsor and the sponsor's spouse to the immigrant will continue until the immigrant becomes a U.S. citizen or has worked or can be credited with 40 qualifying quarters of work, provided that the immigrant or the worker crediting the quarters to the immigrant has not received any Federal means-tested public benefit during any creditable quarter for any period after December 31, 1996.

I understand that, under section 213A of the Immigration and Nationality Act (the Act), as amended, this affidavit of support constitutes a contract between me and the U. S. Government. This contract is designed to protect the United States Government, and State and local government agencies or private entities that provide means-tested public benefits, from having to pay benefits to or on behalf of the sponsored immigrant(s), for as long as I am obligated to support them under this affidavit of support. I understand that the sponsored immigrants, or any Federal, State, local, or private entity that pays any means-tested benefit to or on behalf of the sponsored immigrant(s), are entitled to sue me if I fail to meet my obligations under this affidavit of support, as defined by section 213A and INS regulations.

Civil Action to Enforce.

If the immigrant on whose behalf this affidavit of support is executed receives any Federal, State, or local means-tested public benefit before this obligation terminates, the Federal, State, or local agency or private entity may request reimbursement from the sponsor who signed this affidavit. If the sponsor fails to honor the request for reimbursement, the agency may sue the sponsor in any U.S. District Court or any State court with jurisdiction of civil actions for breach of contract. INS will provide names, addresses, and Social Security account numbers of sponsors to benefit-providing agencies for this purpose. Sponsors may also be liable for paying the costs of collection, including legal fees.

Part 7. Use of the Affidavit of Support to Overcome Public Charge Grounds (Continued)

I acknowledge that section 213.1(a)(1)(B) of the Act grants the sponsored immigrant(s) and any Federal, State, local, or private agency that pays any means-tested public benefit to or on behalf of the sponsored immigrant(s) standing to sue me for failing to meet my obligations under this affidavit of support. I agree to submit to the personal jurisdiction of any court of the United States or of any State, territory, or possession of the United States if the court has subject matter jurisdiction of a civil lawsuit to enforce this affidavit of support. I agree that no lawsuit to enforce this affidavit of support shall be barred by any statute of limitations that might otherwise apply, so long as the plaintiff initiates the civil lawsuit no later than ten (10) years after the date on which a sponsored immigrant last received any means-tested public benefits.

Collection of Judgment.

I acknowledge that a plaintiff may seek specific performance of my support obligation. Furthermore, any money judgment against me based on this affidavit of support may be collected through the use of a judgment lien under 28 U.S.C 3201, a writ of execution under 28 U.S.C 3203, a judicial installment payment order under 28 U.S.C 3204, garnishment under 28 U.S.C 3205, or through the use of any corresponding remedy under State law. I may also be held liable for costs of collection, including attorney fees.

Concluding Provisions.

I, Firiba Achekezai, certify under penalty of perjury under the laws of the United States that:

- (a) I know the contents of this affidavit of support signed by me;
- (b) All the statements in this affidavit of support are true and correct,
- (c) I make this affidavit of support for the consideration stated in Part 7, freely, and without any mental reservation or purpose of evasion;
- (d) Income tax returns submitted in support of this affidavit are true copies of the returns filed with the Internal Revenue Service; and
- (e) Any other evidence submitted is true and correct.

[Signature]
(Sponsor's Signature)

8/5/05 FA
(Date)

Subscribed and sworn to (or affirmed) before me this

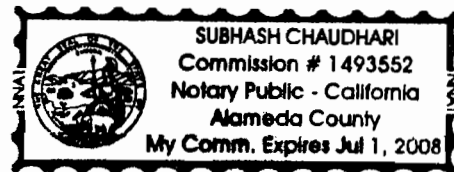
5th day of August, 2005
(Month) (Year)

at Fremont, CA

My commission expires on 7/1/08

Subhash Chaudhari
(Signature of Notary Public or Officer Administering Oath)

Notary Public
(Title)

**Part 8. If someone other than the sponsor prepared this affidavit of support, that person must complete the following:**

I certify under penalty of perjury under the laws of the United States that I prepared this affidavit of support at the sponsor's request, and that this affidavit of support is based on all information of which I have knowledge.

Signature	Print Your Name	Date	Daytime Telephone Number
Firm Name and Address			

**

**

Authorization for Release of Federal Tax Data

This form will be used to validate federal tax return information that you provide to the Department of State. The information you supply will be compared to that shown on official Internal Revenue Service records. IRS data may include the return or a transcript of information contained on the return, as well as any other federal tax information concerning the years authorized. The name and mailing address of the Agency Office to where information is to be sent is:

Director, National Visa Center
 United States Department of State ISL2005654051
 ATTN: CMR
 32 Rochester Avenue
 Portsmouth, NH 03801-2909

**To Be Completed by Sponsor**

- a) Sponsor Name: Firiba Achekzai Social Security Number: 616-60-3596
- b) Spouse's Name: _____ Social Security Number: _____
 (if joint return filed)
- c) Current Street Address: 6316 Livorno Way
 City: Elk Grove State: CA Zip Code: 95757
- d) Tax Years included with Affidavit of Support: 2004 2003 2002

Your signature(s) indicates that you authorize the Internal Revenue Service to provide information with respect to your Form 1040 tax returns for the above years to the agency designated above. If a joint return was filed, either the husband or wife must sign.

**Do not sign and date this release form until you are ready to mail it
 with all the documents requested by the National Visa Center**

Signature of Sponsor

Date

8/5/05

Signature of Spouse

Date

Privacy Act Notice

We ask for the information on this form to establish our right to gain access to your tax form or transcript under the Internal Revenue Code including sections 6130 and 6109. We need to gain access to your tax information or transcript in order to verify the accuracy of the information you have provided. If you do not provide the authorization, we may not be able to process the VISA application. We may give the information to the Department of Justice or other appropriate law enforcement officials, as provided by law. The information gathered may also be used for internal IRS compliance purposes.

Do not write in this space

Post ISLAMABAD

TY _____

TY _____

TY _____



SACRAMENTO COUNTY
DEPARTMENT OF

Health & Human Services

Jim Hunt, Director

Senior & Adult Services
Bert Bettis, Division Manager

In-Home Supportive Services
Sharon Rehm, Program Manager
South Area Office: (916) 874-9471
North Area Office: (916) 874-4200
Fax: 874-9682

1992 – 2002... "10 Years of Healing, Protecting, and Caring"

July 27, 2005

Firiba Achekzai
6316 Livorno Way
Elk Grove, CA 95757

To Whom It May Concern:

Re: Job Verification

This letter is to inform you that **Firiba Achekzai** with SSN **616-60-3596** is a care provider with IHSS since December 1997. Her rate of pay is \$9.50/hr and is working 146.1 hours per month.

Feel free to contact our office at (916) 874-9805 or (916) 874-4201 if you have any further questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Cruz". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Account Clerk II



July 28, 2005

Volt Services Group
3011 Laguna Blvd
Elk Grove, CA 95758
(916) 399-5370

To: Whom it may concern

This letter is to confirm employment for Firiba Acitekzai (616-60-3596) at Apple Computer/ DR department through Volt Services Group. Her shift begins at 6:00am and ends at 2:45pm, and she is paid \$9.00/hr. She has worked for Volt since March of 2005. Volt employee's of Apple Computer work 40 regular hours per week, Monday-Friday. Volt employees are paid weekly, by check (every Friday).

Should you have any questions or need further information, please feel free to contact me onsite at Apple Computer at (916) 399-5370.

Thank you,

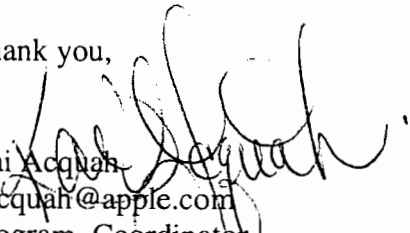

Kai Acquah
kacquah@apple.com
Program Coordinator
Volt Services Group at Apple Computer

EXHIBIT 4

National Visa Center
32 Rochester Avenue
Portsmouth, NH 03801-2909

September 22, 2005



NADIA FARAH
LAW OFFICES
39159 PASEO PADRE PKWY. #211
FREMONT, CA 94538

Dear MOHAMMAD RAHIMI:

The following information pertains to your interest in immigrating to the United States of America.

The National Visa Center has completed its processing of your case and forwarded your file to the designated American Embassy/Consulate. The American Embassy/Consulate listed below will contact you for further information in regards to your visa interview. Note that certain visa categories will not be scheduled for an interview until the case's priority date is eligible. **Please do not phone the Embassy/Consulate where your case will be processed. You will be contacted when your priority date has been reached and a number is available. To check on your priority date, please use http://travel.state.gov/visa/frvi_bulletincurrent.html or our automated service at (202) 663-1541.**

All beneficiaries that have a sponsor filing the form I-864 Affidavit of Support on their behalf, are advised to bring the most current three years of tax documents and supporting financial proof that is **current** at the **date of the visa interview**.

Your case has been forwarded to:

EMBASSY OF THE UNITED STATES OF AMERICA
DIPLOMATIC ENCLAVE, RAMNA 5
ISLAMABAD
PAKISTAN

Case Number: ISL2005654051
PA Name: MOHAMMAD RAHIMI
*Preference Category: CR1 - CONDITIONAL SPOUSE OF U.S. CITIZEN
Your priority date: 02MAR2005
Foreign State Chargeability: AFGHANISTAN

*If your preference category is IR1 or CR1 and you are immigrating with your children (under the age of 21) or your preference category is IR5 and you are immigrating with your spouse please read the following information carefully. If your family member did not receive this letter with their name next to the PA name field, you must bring the original approval notice for their petition to the visa interview. Unless your family member's petition has been sent to the U.S. Embassy, there is no guarantee that your family member will be interviewed with you.

EXHIBIT 5

P. 546

nadiaf@sbcglobal.net

From: [REDACTED]
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Thursday, April 13, 2006 10:38 PM
Subject: RE: Case No: ISL2005654051- Mohammad Hamid Rahimi

This case is pending for administrative review. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us predict. We contact an applicant as soon as this processing is complete.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Thursday, April 13, 2006 9:55 PM
To: Islamabad, IV
Subject: Case No: ISL2005654051- Mohammad Hamid Rahimi

Dear Sir:

As you know we represent the above-referenced applicant for immigrant visa, who was petitioned by his U.S. citizen spouse. Over 3 months ago, Mr. Rahimi was interviewed and was told to come back in 45 days, he did so and again was told to come back in 45 days, he did so. He was told for the 3rd time to come back in 45 days. Please inform us of the status of his immigrant visa since he has already been interviewed and all documents are in order.

We look forward to hearing from you.

Sincerely,
Nadia Farah

4/17/2006

nadiaf@sbcglobal.net

From: "Islamabad, IV" <[REDACTED]>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Thursday, July 06, 2006 11:41 PM
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending for administrative review. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us predict. We contact an applicant as soon as this processing is complete.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Thursday, July 06, 2006 3:07 AM
To: Islamabad, IV
Subject: Re: Mohammad Hamid Rahimi- ISL 2005654051

Any news on this case? My client wants to know why it has taken so long. If there is anything we can do to expedite it, please let me know.
As always, thank you for your help.
Sincerely,

Nadia Farah

----- Original Message -----

From: Islamabad, IV

To: nadia farah
Sent: Thursday, May 18, 2006 12:17 AM
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Wednesday, May 17, 2006 9:36 PM
To: Islamabad, IV
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced-above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

7/8/2006

nadiaf@sbcglobal.net

From: "Islamabad, IV" <PakIVInfo@state.gov>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Thursday, May 18, 2006 12:17 AM
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Wednesday, May 17, 2006 9:36 PM
To: Islamabad, IV
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

5/18/2006

DANIEL E. LUNGREN
3RD DISTRICT, CALIFORNIA

COMMITTEE ON
HOMELAND SECURITY
CHAIRMAN
SUBCOMMITTEE ON ECONOMIC SECURITY,
INFRASTRUCTURE PROTECTION,
AND CYBERSECURITY

COMMITTEE ON
THE JUDICIARY

COMMITTEE ON
THE BUDGET

Congress of the United States
Washington, DC 20515

WASHINGTON OFFICE
2448 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5718
FAX: (202) 226-1298

DISTRICT OFFICE
11248 GOLD DAWN DRIVE, SUITE 101
GOLD RIVER, CA 95670
(916) 869-9906
FAX: (916) 859-9976
E-MAIL: Visit our Website
www.house.gov/lungren

August 22, 2006

Firiba Achekzai
6316 Livorno Way
Elk Grove, CA 95757

Dear Ms. Achekzai:

Thank you for contacting Congressman Dan Lungren concerning the U.S. Embassy in Islamabad, Pakistan, with regards to the immigrant visa application for your husband, Mr. Mohamunad Rahimi. I have been in correspondence with the embassy regarding his case.

According to the embassy, your husband's case is still pending the clearance of their routine security checks. These checks are required by the Department of State to be conducted on all people with pending immigration applications.

As each application must be processed on a case-by-case basis and in accordance with State Department procedures, an estimated completion time, unfortunately, cannot be provided. Regrettably, our congressional office does not have the authority to expedite the processing time. However, the embassy is aware of the ongoing issue and does monitor all cases with the pending checks very closely. As soon as the checks are cleared, your husband's case will be reviewed for a decision. The embassy will notify your husband once a decision has been made.

I regret that this response from the embassy was not what you had anticipated. However, should you have future concerns related to the actions of a federal agency, do not hesitate to contact our office for assistance.

Sincerely,



Oliver Chu
Constituent Services Manager

nadiaf@sbcglobal.net

P-546

From: "Islamabad, IV" <PakIVInfo@state.gov>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Tuesday, September 12, 2006 9:53 PM
Subject: RE: Mohammad Hamid Rahimi- ISL2005654051

This case is still pending for admin processing.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Tuesday, September 12, 2006 10:36 PM
To: Islamabad, IV
Subject: Mohammad Hamid Rahimi- ISL2005654051

Dear Sir:

We are respectfully requesting a status update on Mr. Rahimi's immigrant visa. Has the name-check cleared yet? Please advise as soon as possible.
Sincerely,

NADIA FARAH

9/13/2006

nadiaf@sbcglobal.net

From: "nadia farah" <nadia@nadiafarah.com>
To: "Islamabad, IV" <PakIVInfo@state.gov>
Sent: Monday, October 23, 2006 1:52 PM
Subject: Mohammad Hamid Rahimi ISL2005654051

Dear Consul:

As you know we represent Mr. Rahimi with respect to his immigration matter. We understand that his case is pending a name check, but we learned that your office has his date of birth as October 4, 1973, where the correct date is April 10, 1973. Could you please confirm the correct date of birth as stated on the form DS-230 Parts I&II. We look forward to hearing from you soon.

Sincerely,

NADIA FARAH

10/23/2006

nadiaf@sbcglobal.net

From: "nadia farah" <nadia@nadiafarah.com>
To: "Islamabad, IV" <PakIVInfo@state.gov>
Sent: Wednesday, November 01, 2006 1:17 PM
Subject: Re: Mohammad Hamid Rahimi- ISL2005654051

Hello again,

I was wondering if you could give us an update on the status of this case. I look forward to hearing from you very soon.

Sincerely,
Nadia Farah

----- Original Message -----

From: Islamabad, IV
To: nadia farah
Sent: Tuesday, September 12, 2006 8:53 PM
Subject: RE: Mohammad Hamid Rahimi- ISL2005654051

This case is still pending for admin processing.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Tuesday, September 12, 2006 10:36 PM
To: Islamabad, IV
Subject: Mohammad Hamid Rahimi- ISL2005654051

Dear Sir:

We are respectfully requesting a status update on Mr. Rahimi's immigrant visa. Has the name-check cleared yet? Please advise as soon as possible.

Sincerely,

NADIA FARAH

Law Offices of...

Nadia Farah

November 7, 2006

39159 Paseo Padre Pkwy.
Suite 211
Fremont, CA 94538
Tel: 510.494.8156
Fax: 510.494.8158

Embassy of the United States
Diplomatic Enclave, Ramna 5
Islamabad, Pakistan

RE: MOHAMMD RAHIMI
ISL2005654051

Dear Consul:

As you know, we represent Mr. Rahimi and his wife Mrs. Firiba Achekzai. Mr. Rahimi was interview at your office in 2005 and to-date he has not received his immigrant visa. We understand from your email responses that this is an administrative processing, but Mrs. Achekzai is very eager for her husband to join her. If there is any thing we can do to expedite or facilitate the administrative processing, please do not hesitate to ask.

We look forward to hearing from you either via facsimile or email (nadia@nadiafarah.com) as soon as possible. As always, we thank you for your courtesy and prompt attention to this matter.

Sincerely,


NADIA FARAH

nadiaf@sbcglobal.net

From: "nadia farah" <nadia@nadiafarah.com>
To: "Islamabad, IV" <PakIVInfo@state.gov>
Sent: Tuesday, December 26, 2006 3:11 PM
Subject: Mohammad Hamid Rahimi- ISL2005654051

Dear Sir,

I have made several attempts to get an update on Mr. Rahimi, referenced above, but I have not received any response from you. As you know, Mr. Rahimi was interviewed in 2005, his wife, Mrs. Firibi Achekzai has spoken with Washington, D.C. and was told that his clearance went through three times, but to-date, he has not received his visa. We are rather puzzled on the delay of this case and if there is anything we can do to expedite this, please do not hesitate to contact us.

As always, thank you for your courtesy and promptness in handling our cases.

Sincerely,

NADIA FARAH

12/26/2006

nadiaf@sbcglobal.net

From: "Islamabad, IV" <PakIVInfo@state.gov>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Tuesday, January 09, 2007 2:13 AM
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending for administrative processing. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 to 60 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us to predict. We contact an applicant as soon as this processing is complete.

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Tuesday, January 09, 2007 10:59 AM
To: Islamabad, IV
Subject: Re: Mohammad Hamid Rahimi- ISL 2005654051

Dear Sir,

This is my 3rd email messages to which I have not received any response. I made an attempt to call your office right now and was transferred by the operator, but there was no answer and when I tried again, no one would answer the telephone the second time. I understand that Mr. Rahimi's security clearance has been completed, as the visa specialist in the United States told my client, but he still has not been contacted to complete the final processing. Please inform us of the status of this case as soon as possible.

As always, we thank you for your courtesy and prompt attention to this matter.
 Sincerely,

NADIA FARAH

----- Original Message -----

From: Islamabad, IV
To: [nadia farah](mailto:nadia@nadiafarah.com)
Sent: Wednesday, May 17, 2006 11:17 PM
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

This case is pending a security clearance. Once it is done we will contact the applicant for the final processing of this case.

-----Original Message-----

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Wednesday, May 17, 2006 9:36 PM
To: Islamabad, IV
Subject: RE: Mohammad Hamid Rahimi- ISL 2005654051

Dear Consul:

In follow up to our April 13, 2006 inquiry, please advise us if Mr. Rahimi's immigrant visa, referenced-above is ready for pick up. We look forward to hearing from you very soon and as always, thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

1/10/2007

nadiaf@sbcglobal.net

From: "nadia farah" <nadia@nadiafarah.com>
To: [REDACTED]
Sent: Tuesday, June 19, 2007 11:23 AM
Subject: Mohammad Hamid Rahimi-ISL2005654051

Dear Sir,

In January 2007, in response to our followup request, you informed us that Mr. Rahimi's case is under administrative processing. To-date, we have not heard any news from you and would appreciate an update on the progress in this case. Please contact me via email at nadia@nadiafarah.com
As always, we thank you for your courtesy and prompt attention to this matter.

Sincerely,

NADIA FARAH

FIRIBA ACHEKZAI
6316 Livorno Way
Elk Grove, Ca 95757
(916) 714-9271

JULY 10, 2007

Congressman Daniel E. Lungren
11246 Gold Express Drive, Suite 101
Gold River, CA 95670

RE: Problems with the Embassy of the United States in Islamabad
Case Number: ISL2005654051

Dear Mr. Lungren

In August 2006, in response to my request for your help, your Constituent Services Manager, Mr. Oliver Chu, sent me the enclosed correspondence stating that my husband's case was pending with the Embassy of Islamabad once the checks have been cleared.

My attorney has contacted Islamabad and the checks have been cleared, but the matter is under administrative review. I am rather puzzled as to why they are holding my husband's case and now it has been 2 ½ years since his interview. Approximately one month ago, I personally went to the Embassy and inquired about the status of the case, but they could not give me an answer. I respectfully request that you follow up on this case and find out why my husband's case has been delayed for so long.

I urge your prompt attention to this matter. I am desperate to have my husband with me immediately. My attorney, Nadia Farah has corresponded with them and is awaiting a response. If you need to contact my attorney, please do so at the Law Offices of Nadia Farah, 39159 Paseo Padre Pkwy #211, Fremont, CA 94538.

Sincerely,

A black rectangular redaction mark covering the signature of the sender.

FIRIBA ACHEKZAI
ENCL.

nadiaf@sbcglobal.net

From: "Islamabad, IV" <PakIVInfo@state.gov>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Monday, September 24, 2007 12:18 AM
Subject: RE: Mohammad Hamid Rahimii- ISL2005654051

This case is pending for administrative processing. Once it is done, we will contact the beneficiary for the final processing of this case. The minimum time required for this processing is 45 to 60 days, however, if it gets delayed, the maximum time can be indefinite, a time frame that is not possible for us to predict. We contact an applicant as soon as this processing is complete. Also, please note that as long as a case is pending for admin processing, our response would remain the same.

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Saturday, September 22, 2007 2:02 AM
To: Islamabad, IV
Subject: Mohammad Hamid Rahimii- ISL2005654051

Dear Sir,

As you know we represent Mrs. Achekzai regarding the above-referenced matter to have her husband join her as soon as possible. Mr. Rahimi was interviewed in February 2006 and at that your office retained his passport. We have made many inquiries regarding this matter and each time we are told that it is under administrative processing. It is almost two years now and Mrs. Achekzai is very upset because her husband is in Pakistan without a passport (you have it) and she is here without her husband. We respectfully offer our help, if any, to assist you in expediting this matter. Please let us know what we can do in the United States to facilitate this process. We look forward to hearing from you very soon.
Sincerely,

NADIA FARAH

9/24/2007

FIRIBA ACHEKZAI
6316 LIVORNO WAY
ELK GROVE, CA 95757
916-714-9271

October 5, 2007

Senator Barbara Boxer
501 I Street, Suite 7-600
Sacramento, CA 95814

RE: MY HUSBAND MOHAMMAD HAMID RAHIMI
ISL 2005654051

Dear Senator Boxer:

I am citizen of the United States. On January 7, 2005, I married my husband Mohammad Hamid Rahimi in Pakistan and upon my return to the United States; I filed an I-130 petition for him. The petition was approved and through the National Visa Center, the file was completed and sent to Islamabad Pakistan.

In February 2006, my husband was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days. To-date, my husband has not received his immigrant visa and this has created a major problem in our marriage. I am here and cannot live in Pakistan. I made several trips to Pakistan and each time I visited the Consulate. I inquired about the status of my husband's case and I was told that it is pending.

I truly need your help in this matter. It is almost two years since his interview and his case is still pending. My attorney has sent several emails to the Embassy in Islamabad and each time she is told that it is pending administrative review. In their last email, they stated that "as long as a case is pending for admin processing, our response would remain the same."

I am very upset and do not know where to turn to. I urge your assistance in inquiring why this case is taking so long after he was interviewed and told that everything was okay. Please contact me as soon as possible on my cell phone at 510-651-7020, or the above address and telephone number.

I thank you in advance for your courtesy and prompt attention to this matter.

Sincerely,

FIRIBA ACHECKZAI

Law Offices of...

Nadia Farah

39159 Paseo Padre Pkwy.

Suite 211

Fremont, CA 94538

Tel: 510.494.8156

Fax: 510.494.8158

December 11, 2007

VIA FACSIMILE

202-663-3899

Visa Specialist

**RE: PETITIONER: FIRIBA ACHEKZAI
BENEFICIARY: MOHAMMAD HAMID RAHIMI
ISL 2005654051**

Dear Sir or Madam:

Please be advised that our office assisted Ms. Acheckzai, referenced above to petition for her husband Mohammad Hamid Rahimi.

On January 7, 2005, Ms. Acheckzai and Mr. Rahimi became married in Pakistan. Subsequently Ms. Acheckzai filed a petition for her husband and the petition was approved. Through National Visa Center, the file was prepared and forwarded to Pakistan.

In February 2006, Mr. Rahimi was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days.

To-date, Mr. Rahimi has not received his immigrant visa and every time we inquire with the Embassy in Islamabad, we are told that due to Administrative Processing, the case is still pending. It is almost two years passed his interview and still he has not received his immigrant visa.

This has created a major problem in their marriage as she cannot live in Pakistan and he is not allowed to come to the United States without his immigrant visa. She made several trips to Pakistan and each time she visited the Consulate. Each time, she was told that the matter is pending. Every time we sent email messages and faxes, we received the same response. Ms. Acheckzai sent a letter to Senator Barbara Boxer, but no response is received yet. It is a frustrating process for Ms. Acheckzai and for our office since we have done everything in our power to get an answer from Pakistan.

We urgently need your help and wish to hear from you about this case. We need to know why there is such a long delay for a simple immigrant visa. She is a citizen of the United States and entitled to have her husband live with her. In their last email, they stated that

Law Offices of...

Nadia Farah

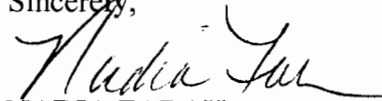
39159 Paseo Padre Pkwy.
Suite 211
Fremont, CA 94538
Tel: 510.494.8156
Fax: 510.494.8158

“as long as a case is pending for admin processing, our response would remain the same”,
completely lacking any estimation of the processing time.

We thank you in advance for your courtesy and prompt attention to this matter and
should you wish to discuss this matter, please contact us at the above address or
telephone number. If you wish to contact me through email, please send your response to
nadia@nadiafarah.com

Thank you again for your consideration.

Sincerely,



NADIA FARAH
ENCL.

United States Senate

HART SENATE OFFICE BUILDING
SUITE 112
WASHINGTON, DC 20510-0505
(202) 224-3553
<http://boxer.senate.gov/contact>

December 13, 2007

Ms. Firiba Acheckzai
6316 Livorno Way
Elk Grove, California 95757

Dear Ms. Acheckzai:

Enclosed, please find the correspondence Senator Boxer received from the U.S. Embassy in Islamabad, Pakistan regarding an inquiry that was made on your behalf. It is my understanding that the immigrant visa application filed on behalf of your husband, Mr. Mohammad Hamid Rahimi, is pending a security clearance.

Since the terrorist attacks of September 11, 2001, the State Department has been engaged with other U.S. government agencies in an extensive and ongoing review of visa-issuing practices, including the clearance procedures as they relate to the security of U.S. borders. As a result, there has been a delay in the issuance of visas in certain countries. Visa applicants affected by these procedures are informed of the need for additional screening at the time of application and should expect substantial delays.

The time needed for adjudication will continue to be difficult to predict, as necessary new procedures are refined. Due to the sensitive nature of these clearances, U.S. security will not be compromised and there are no expedites or information being released to third parties, including congressional offices. If you wish to find more information about these clearances, you may visit the Department of State website at www.travel.state.gov.

Thank you for writing to Senator Boxer. I regret that we are unable to be of more assistance regarding this matter.

Sincerely,

Eric José Vizcaino
Director of Constituent Services

EJV: sy



*Embassy of the United States of America
Islamabad, Pakistan*

Consular Section

December 13, 2007

The Honorable Barbara Boxer

Attn: Shabnaz Yousefia

Re: Mohammad Hamid Rahimi ISL2005654051

Dear Senator Boxer:

This is in response to your inquiry of November 21, 2007, concerning the immigrant visa case of Mr. Mohammad Hamid Rahimi. Your constituent, Ms. Firiba Acheckzai, contacted you regarding this case.

This case continues to undergo necessary administrative processing as part of the security clearance procedure. It is difficult to predict the amount of time that the clearance process will take, but please rest assured that we are handling Mr. Rahimi's case as expeditiously as possible. We recognize that this process can be frustrating for applicants, and regret any inconvenience. We are making several procedural changes in an attempt to make this process less onerous.

Once the administrative processing is complete, we will contact the applicant.

We hope this information is helpful.

Sincerely,

A handwritten signature in black ink, appearing to be 'C. Smith'.

Consul General

nadia farah

From: "Islamabad, IVQuery" <PakIVQuery@state.gov>
To: "nadia farah" <nadia@nadiafarah.com>
Sent: Monday, December 17, 2007 9:04 PM
Subject: RE: MOHAMMAD HAMID RAHIMI - ISL 2005654051

Dear Attorney,

Currently this case is pending for an administrative processing. We will contact the beneficiary in this case once this processing has completed and we are ready for the final processing of this case. Unfortunately it is not possible for us to predict the time this processing still may take.

Yours truly,
 Immigrant Visa Unit

From: nadia farah [mailto:nadia@nadiafarah.com]
Sent: Tuesday, December 18, 2007 1:01 AM
To: Islamabad, IVQuery
Subject: MOHAMMAD HAMID RAHIMI - ISL 2005654051

RE: PETITIONER: FIRIBA ACHEKZAI
BENEFICIARY: MOHAMMAD HAMID RAHIMI
ISL 2005654051

Dear Sir or Madam:

Please be advised that our office assisted Ms. Acheckzai, referenced above to petition for her husband Mohammad Hamid Rahimi.

On January 7, 2005, Ms. Acheckzai and Mr. Rahimi became married in Pakistan. Subsequently Ms. Acheckzai filed a petition for her husband and the petition was approved. Through National Visa Center, the file was prepared and forwarded to Pakistan.

In February 2006, Mr. Rahimi was interviewed and everything was approved, but he was told that the name check had not been cleared yet. He was told to return in 45 to 60 days.

To-date, Mr. Rahimi has not received his immigrant visa and every time we inquire with the Embassy in Islamabad, we are told that due to Administrative Processing, the case is still pending. It is almost two years since his interview and still he has not received his immigrant visa.

This has created a major problem in their marriage as she cannot live in Pakistan and he is not allowed to come to the United States without his immigrant visa. She made several trips to Pakistan and each time she visited the Embassy to inquire about his case, she was told that the matter is pending. Every time we sent email messages, we received the response. Ms. Acheckzai sent a letter to Senator Barbara Boxer, and again was told that clearance was pending. It is a frustrating process for Ms. Acheckzai and for our office since we have done everything in our power to get an answer from Pakistan.

We urgently need your help and wish to hear from you about this case. We need to know why there is such a long delay for a simple immigrant visa. She is a citizen of the United States and entitled to have her husband live with her. In their last email, the response was that "as long as a case is pending for

12/18/2007

admin processing, our response would remain the same". Ms. Achekzai received an email from Pakistan yesterday stating that we can contact you if more than 10 months has passed since the interview and definitely 10 months has passed.

We thank you in advance for your courtesy and prompt attention to this matter and should you wish to discuss this matter, please contact us at the above address or telephone number. If you wish to contact me through email, please send your response to nadia@nadiafarah.com

Thank you again for your consideration.

Sincerely, .

NADIA FARAH

EXHIBIT 6

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Domestic Operations of Directorate
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

FEB 4 - 2008

HQ 70/23 & 70/28.1

Interoffice Memorandum

TO: Field Leadership

FROM: Michael Aytes 
Associate Director, Domestic Operations

SUBJECT: Revised National Security Adjudication and Reporting Requirements

Background

U.S. Citizenship and Immigration Services (USCIS) conducts background checks on all applicants, petitioners, and beneficiaries seeking immigration benefits. This is done both to enhance national security and to ensure the integrity of the immigration process. USCIS has previously mandated that FBI name checks be completed and resolved before any positive adjudication can proceed on certain form types. This memorandum modifies existing guidance for applications where statutory immigration provisions allow for the detention and removal of an alien who is the subject of actionable information that is received from the FBI or other law enforcement agencies after approval of the application.

USCIS is issuing revised guidance in response to recommendations of the DHS Office of Inspector General (OIG-06-06) regarding the need to align the agency's background and security check policies with those of U.S. Immigration and Customs Enforcement (ICE). The *Background and Security Investigations in Proceedings Before Immigration Judges and the Board of Immigration Appeals* regulations prevent immigration judges and the Board of Immigration Appeals (BIA) from granting benefits to aliens before DHS confirms that all background and security checks have been completed. See 8 C.F.R. § 1003.47(g); 8 C.F.R. § 1003.1(d)(6)(i). In the context of removal proceedings, ICE has determined that FBI fingerprint checks and Interagency Border Inspection Services (IBIS) checks are the required security checks for purposes of the applicable regulations. In the unlikely event that FBI name checks reveal actionable information after the immigration judge grants an alien permanent resident status, DHS may detain and initiate removal proceedings against the permanent resident. See 8 U.S.C. § 1227; see also 8 U.S.C. § 1256 (allowing DHS to rescind an alien's adjustment of status).

Revised National Security Adjudication and Reporting Requirements

Page 2

Revised Guidance

A definitive FBI fingerprint check and the IBIS check must be obtained and resolved before an Application for Adjustment of Status (I-485), Application for Waiver of Ground of Inadmissibility (I-601), Application for Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act (I-687), or Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of Public Law 99-603) (I-698) is approved. USCIS will continue to initiate FBI name checks when those applications are received. Where the application is otherwise approvable and the FBI name check request has been pending for more than 180 days, the adjudicator shall approve the I-485, I-601, I-687, or I-698 and proceed with card issuance. The FBI has committed to providing FBI name check results within this timeframe.

There is no change in the requirement that FBI fingerprint check, IBIS check and FBI name check results be obtained and resolved prior to the adjudication of an Application for Naturalization (N-400).

Pending further guidance regarding post-audit reporting and tracking requirements and modifications to associated quality assurance procedures, applications approved pursuant to this memorandum shall be held at the adjudicating office. If derogatory or adverse information is received from the FBI after the application is approved, USCIS will determine if rescission or removal proceedings are appropriate and warranted.

Subject to the reporting requirements set forth in the February 16, 2007, memorandum titled "FBI Name Checks Policy and Process Clarification for Domestic Operations," an application or petition may be denied, dismissed, administratively closed, withdrawn, or referred to the Immigration Court at any time.

Questions regarding this memorandum should be directed through appropriate supervisory and operational channels. Local offices should work through their chain of command.

Distribution List:

Regional Directors
Service Center Directors
District Directors (except foreign)
Field Officer Directors (except foreign)
National Benefits Center Director